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Six periodic reports of States parties

Peru*

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Government of Peru

Sixth periodic report on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women

CEDAW 1999–2003

Ministry of Women and Social Development
Vice-Ministry of Women
General Directorate for the Advancement of Women
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Government of Peru

Government of Peru

Sixth periodic report on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women

CEDAW 1999–2003

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Introduction

Women: the unfinished agenda

The problems facing Peruvian women constitute a pressing and unfinished item on the country's political, social and economic agenda. Overcoming their situation of backwardness, inequality, marginalization, lack of opportunity, and poverty must be a goal of any development strategy or plan. The Peruvian State understands this, and for that reason it assigns special importance to follow-up to the international commitments in this regard, so as to comply with its outstanding obligations, strengthen the achievements to date, and take corrective measures as necessary to ensure that the women of Peru can exercise their human rights fully in their day-to-day life, without restrictions, throughout the country.

This Sixth Report[1] , prepared by the Intersectoral Committee for Monitoring Compliance with the CEDAW, reports progress by the Peruvian State in relation to the "Convention for the Elimination of All Forms of Discrimination against Women"[2], which was adopted internationally in 1979 and ratified by Peru in 1984. The United Nations General Assembly normally refers to it as the International Declaration of the Rights of Women. It consists of a preamble and 30 articles defining discrimination against women, and establishes an agenda for national action to eradicate such discrimination. In accepting the Convention, states commit themselves to take a series of measures to eradicate all forms of discrimination against women. These include measures:

- To incorporate the principle of the equality of men and women in their legal systems, to abolish discriminatory laws, and to adopt appropriate legislation prohibiting discrimination against women;
- To establish tribunals and other public institutions to ensure effective protection of women against discrimination; and
- To eliminate all discrimination against women by any person, organization, or enterprise.

The provisions of the CEDAW have the force of law, and for that reason they represent the most important binding international commitments since the 1980s in terms of redefining the living conditions and the status of women. The CEDAW constitutes a fully valid and current international framework for planning public policies and development activities. The advances in the policies and in the plans and programmes of the Peruvian State for promoting women relate directly to the provisions of the CEDAW, and are a domestic reflection of the agenda set forth in the Convention.

The Intersectoral Committee for Monitoring Compliance with the CEDAW, which began its functions in November 2002, consists of 22 institutions representing State agencies involved in this issue, as well as international cooperation agencies

[1] Covers the period 1999-2003. Pursuant to Article 18 of the CEDAW, States parties that approve and ratify this international commitment have the obligation to report to the Committee of Experts on CEDAW on the legislative, administrative and other measures taken within the last four years, which in the case of this Sixth Report of the Peruvian State corresponds to the period ending in 2003.

[2] CEDAW.

and the communications media. That committee oversaw incorporation of the recommendations of the CEDAW Committee into the various short, medium and long-term planning instruments, and provided information and data for preparation of the Sixth CEDAW Report.

This report is organized in two parts. The first contains the Peruvian State's report on progress achieved in applying the recommendations made by the CEDAW Committee in 2002. The second presents information on the State's progress with respect to the Convention, arranged in a sequence consistent with its Articles. The report also includes the text of the Convention and its Protocol, annexes with tables illustrating the status of women, and a glossary to assist readers of this report.

Peru's commitment to the advancement of women is irreversible. The State is convinced that development and the better future that it seeks to construct will depend on the ability of Peruvian women to live in a society that offers equality of opportunity, eliminating all expressions of inequity, exclusion and discrimination, and overcoming all existing inequalities between women themselves. Achieving this task requires the systematic deployment of all possible efforts on behalf of women, and the creation of partnerships between the State and civil society to overcome the obstacles that prevent women from enjoying full exercise of their human rights.

Part I

Recommendations of the CEDAW Committee (2002)

Recommendation J

"The Committee encourages the State party to strengthen the role of the Ministry of Women and Social Development as a guiding and normative body, with an adequate budget, and to give it the necessary funding for the formulation and development of policies and programmes geared to gender equity. The Committee also recommends that the State party should give its Ministry greater authority within the framework of the State institutions to ensure effective gender mainstreaming in all sectors of government."

Restructuring and strengthening of the Sector

J.1. The oversight role of the Ministry of Women and Social Development for issues relating to gender equity is reinforced by the commitments accepted in the National Accord[3] that was agreed between the country's political and social leaders. The 11th Policy of that accord gives priority to the "Promotion of Equality of Opportunity without Discrimination", and provides as follows:

J.2. "In our country there are many expressions of social discrimination and inequity, in particular against women, children, seniors, members of ethnic communities, the disabled, and the indigent, among others. Reducing and eventually eradicating these expressions of inequality will temporarily require affirmative action by the State and by society, applying policies and establishing mechanisms to guarantee equality of economic, social and political opportunity for the entire population."

J.3. It adds that "with this objective, the State: will combat all forms of discrimination and will promote equality of opportunity; strengthen the social and political participation of women in dialogue and cooperation with the State and civil society; consolidate an institution at the highest level of government with responsibility for policies and programmes to promote equality of opportunity between men and women, i.e. gender equity; provide equitable access for women to productive resources and employment; develop systems for the protection of children, adolescents, seniors, female heads of households, indigents, persons with disabilities, and other persons who suffer discrimination or exclusion; and promote and protect the rights of members of ethnic communities that suffer discrimination, promoting comprehensive social development programmes in their favour".

J.4. It is these policy guidelines that, together with the determination to achieve "an efficient, transparent and decentralized State", have guided the organizational and functional restructuring of the Sector, as established by law in 2002. It is also in this context that the Ministry of Women and Social Development (MIMDES) was established, as the successor to the former Ministry for the Advancement of Women

[3] Signed in July 2002.

(PROMUDEH)[4] , to be the focal point for implementation of this accord at the State level. The Sector therefore has the task of incorporating gender equity and equality of opportunity into social and human development policies that it is responsible for designing, proposing and implementing.[5]

J.5. The restructuring establishes two Vice-Ministries: one for Women, and the other for Social Development. It also creates the General Directorate for the Advancement of Women and the Directorate of Planning, and it incorporates the National Compensation and Social Development Fund (FONCODES), a social support agency, and provides that each Vice Ministry is to design the policy for its area of jurisdiction. The Vice Ministry of Women therefore designs policies to promote gender equity and equality of opportunity for women. The General Directorate for the Advancement of Women also has the function of incorporating the gender perspective into the plans, programmes and projects of the central government.

J.6. With the incorporation into the Sector of bodies responsible for social development, the Ministry of Women and Social Development has seen an increase in funding and in its intervention capacity, which opens the possibility of inserting specific aspects, including gender, into the formulation of policies, programmes and projects of a social nature.

Greater authority for the MIMDES for incorporating the gender perspective into other State institutions

J.7. The MIMDES has created multisectoral working committees for joint action with civil society and the private sector. It is a member, and in many cases the chair, of these committees. Those bodies concern themselves with the major social problems and with monitoring national plans and policies, and they constitute the priority scenario for incorporating the gender focus, since this assists them in carrying out their objectives. The MIMDES participates actively in the Intersectoral Committee on Social Affairs (CIAS), in the Multisectoral Committee on Rural Development, and in the Multisectoral Committee on the Millennium Goals, headed by the Office of the President of the Council of Ministers (PCM) and the UNDP.

J.8. The MIMDES is a member of the Executive Committee for the Strategy for Poverty Reduction and Economic Opportunities for the Poor, chaired by the Office of the President of the Council of Ministers, which formulates and monitors the implementation of that strategy. It is also a member of the Multisectoral Committee for Food Security, which coordinates policies in this area. It chairs the Multisectoral Committee on the Equal Opportunity Plan for Women and Men, 2002-2005, and the multisectoral committees responsible for implementing the National Plan on Violence against Women and the National Plans for Seniors, for Equal Opportunity for Persons with Disabilities, for Action on Behalf of Children and Adolescents, the National Network against Commercial Sexual Exploitation of Children and

[4] Its predecessor was the Ministry for the Advancement of Women and Human Development (PROMUDEH).

[5] Law 27 779, Article: The Executive Branch Act shall include article 34-A: "Name and functions of the Ministry of Women and Social Development: the Ministry of Women and Social Development shall design, propose and implement social and human development policy, promoting gender equity and equality of opportunity for women, girls, seniors, and persons living in poverty and extreme poverty, and suffering discrimination and exclusion".

Adolescents, and the Network against Trafficking in Children, among others. It has also established committees or working groups to incorporate the situation of minority women into the social agenda. In this context, it has established the Roundtable of Afro-Peruvian Women and has sponsored the creation of a working group on Indigenous Women, the purpose of which is to take decentralized action and to constitute a working plan to meet priority needs. This committee is chaired by the first Congresswoman of indigenous origin. Consistent with its participatory strategy and its respect for women's organizations[6] , the MIMDES has set up a Roundtable for Dialogue with the Women's Social Organizations, in order to establish government policies for achieving national objectives such as democracy, the rule of law, social equity and justice, national competitiveness, and a more efficient, transparent and decentralized State. The MIMDES also participates in the Girls' Education Network. In these forums, the Sector interacts with representatives of the State and of civil society.

J.9. The MIMDES is also a member of several locally-based, decentralized multisectoral roundtables, committed to addressing family violence and sexual abuse, and since 1997 it has been participating actively in the National Roundtable for the Prevention and Treatment of Family Violence (MENAVIF). This tripartite body (State, international cooperation and civil society), which coordinates activities and defines objectives, is made up of representatives of all the public sectors with responsibility for addressing family violence and sexual abuse.

J.10. Fulfilling the duties of the MIMDES has required that professional staff of the Sector be aware of the gender focus, and to this end the Vice-Ministry of Women and the General Directorate for the Advancement of Women developed a permanent training programme in 2000, with the support of international cooperation and of specialized networks and NGOs.

Budgetary allocation

J.11. The MIMDES has offices and programmes devoted essentially to helping women in our country, especially those suffering most from exclusion and poverty. The resources requested for those programmes are directed at achieving gender equity. The budget of the Directorate for the Advancement of Women has been growing each year. For 2003, it was four times as high as in 2001[7] . Among the various sections of the MIMDES devoted almost exclusively to Women is the National Programme against Family Violence and Sexual Abuse (PNCVFS), which receives regular funding[8] . Other programmes of the MIMDES that the devote a significant portion of their resources to the advancement of Women include the Programme to Support Resettlement (PAR), which works with people affected by violence, and most of its beneficiaries are women. The PAR has prepared the "peace census", which has systematized and quantified the damage and the costs of the violence, specifying separately the damage and the costs to women. Mention should also be made of the Wawa Wasi Programme, which seeks to provide a safe environment and to develop skills for the children of poor working mothers, and at

[6] Ministerial Resolution 512 of 25 August 2003.

[7] In 2001, the budget for this Directorate was S/.281,084, in 2002 it was S/.1,177,338, and in 2003 it was S/.1,396,239.

[8] In 2001 the PNCVFS received S/.8,128,156, in 2002 it received S/.7,057,315, and in 2003 its budget was S/.7,551,762.

the same time to make it easier for women to work, recognizing that they often lose their jobs or must give them up in order to look after their children. The MIMDES is also the institutional framework for the PRONAA, the National Food Aid Programme, which, while not targeted directly at women, has a close relationship with them and provides training that benefits them.

J.12. The organizational units that make up the Vice-Ministry for Women are the General Directorate for Children and Adolescents; the National Adoptions Secretariat; the General Directorate for the Advancement of Women; and the National Programme against Family Violence. The general trend in budget allocations is positive: as already noted, the budget for the Directorate for the Advancement of Women has increased, and the budget for the General Directorate for Children and Adolescents for 2003 was double the level in 2001.[9]

J.13. It is important to note that the budget allocations referred to above are not the only ones that the Sector handles in relation to the advancement of women. However, we have not yet developed a methodology for disaggregating and measuring the "gender sensitive" budget. That "gender sensitive" budget would, for example, include the amounts currently allocated to social projects with a gender focus, or to those that are managed by women. For methodological reasons, we have confined ourselves to examining and reporting only those budgetary items for the Sector that provide direct benefits to women. It should be noted that the MIMDES is committed to developing a methodology for establishing accurately the budget that each of its sections invests in gender policies.

J.14. Consolidating the MIMDES's lead role in promoting the advancement of women and gender equity involves action on several fronts: structural change for institutionalizing policies and programmes; regular allocation of funding; and human capital formation.

Recommendation L

> "The Committee recommends that the process of review and consultation should continue for the elaboration of a new plan (National Equal Opportunity Plan for Women and Men), including civil society and in particular women's organizations, with a view to its prompt approval scheduled for 2002."

First and second national consultations

L.1. The first step in reformulating the National Equal Opportunity Plan for Women and Men was to hold two national consultations of a participatory and decentralized nature. The first consultation, conducted between May and September of 2001 in 10 cities throughout the country, involved women's organizations, NGOs, labour unions, roundtables and State sectors, and concerned the policy guidelines prepared for the Sector on the basis of a review of the main international commitments on protecting women's human rights. This process resulted in establishment of policy guidelines in the social, economic, political and cultural fields, and strategies and lines of action for each of those fields. The purpose of this consultation was to receive input from civil society and to secure its commitment and effort for bringing

[9] In 2001, DIGNNA received S/.684,000, and in 2003 it received 1,480,000.

about the social change that is needed to achieve equity and equality between men and women.

L.2. Those policy guidelines refer to:

- Creating conditions for building a culture of equality.
- Satisfying basic needs, fostering healthy human and family relationships, and building capacities on an equal footing.
- Closing gaps, bearing in mind respect for cultural diversity and gender-specific impacts.
- Guaranteeing the exercise of economic rights, by eliminating obstacles and discriminatory practices in the workplace, and in access to and control over economic resources.
- Promoting effective participation by women in power structures.
- The strategies used in this first consultation included intersectoral and multisectoral coordination for formulating, implementing and evaluating public policies for gender equity, and securing the commitment of civil society and of women's organizations.

L.3. In December 2002, the second round of consultations was held, relating to the proposed Reformulated Plan 2003-2010. It was conducted in 12 cities, and involved more than 170 institutions .The process was led by the National Network for the Advancement of Women, a women's organization that has offices in all the departments of Peru.

The reformulated equal opportunity plan

L.4. The plan presents five broad, crosscutting guidelines embracing the various aspects of women's and men's lives, as well as strategic objectives and concrete actions to be taken during the term of the plan.

L.5. The guiding principles of the plan are:

a) To build equitable and egalitarian social relations between women and men in a context of co-responsibility and participation, as an indispensable condition for the sustainability of governance and democracy.

b) To develop individual and collective capacities and potentials, and to promote equitable and healthy social and family relations between men and women.

c) Equality of opportunity in the labour market, and in the sharing and control of economic resources.

d) Equal access and effective participation by women in the structures of power and decision-making, to guarantee full exercise of citizenship.

L.6. Policy Guidelines of the National Equal Opportunity Plan for Women and Men 2003-2010:

1. Mainstream the perspective of gender equity and equality of opportunity between women and men in public policies and in State actions and practices.

2. Promote equitable values, practices, attitudes and behaviours between women and men, with emphasis on the family.

3. Ensure equitable access for women and men to social, recreational and cultural services.

4. Eliminate all forms of discrimination in employment or occupations and incomes, and guarantee equitable access to economic resources for women and men.

5. Guarantee women's exercise of political rights and equitable access to power and to decision-making bodies.

L.7. The National Equal Opportunity Plan for Women and Men 2003-2010 is based on the recommendations in the conventions, agreements, platforms and regional plans that the Peruvian State has ratified, and that therefore have the force of law. These are:

- The International Covenant on Civil and Political Rights.
- The International Covenant on Economic, Social and Cultural Rights.
- The American Convention on Human Rights, "Pact of San Jose".
- The Convention on the Elimination of All Forms of Discrimination against Women, CEDAW.
- The Optional Protocol to the CEDAW.
- The Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, "Convention of Belém do Pará".
- Beijing Platform for Action, Fourth World Conference on Women, 1995.
- Regional Programme of Action for Women of Latin America and the Caribbean, ECLAC, 1994.
- Programme of Action of the International Conference on Population and Development, Cairo, 1994.
- Inter-American Programme for the Promotion of Women's Human Rights

The Plan has now been submitted for approval by the Executive.

L.8. On 10 June 2002 the draft Equal Opportunity Act, which the PROMUDEH (today the MIMDES) has been promoting since February of that year, was presented to the Congress of the Republic.

Recommendation N

"The Committee recommends that the State party include a gender perspective in poverty eradication strategies and programmes and, when appropriate, introduce temporary special measures, in conformity with article 4, paragraph 1, of the Convention, with a view to eradicating poverty among women, especially rural women".

Integrating the gender perspective into poverty strategies

N.1. There are four pillars to the government's overall policy - equity, dignity, ethics and institutions - governing all actions of the Peruvian State for overcoming poverty. These are reflected in the Bases for the Strategy for Poverty Reduction and Economic Opportunities for the Poor (ESPOEP), approved by Supreme Degree No. 002-2003-PCM of January 2003. That document declares that it is of vital importance "to include within the poverty reduction strategy policies to reduce gender-based discrimination and social divides, to enhance the efficiency of women's work, and to lay the basis for the female population's development so as not only to achieve real social and economic recognition for their effort, but more importantly to integrate women into all levels of decision-making on an equal footing with men". The MIMDES participates in the ESPOEP, in order to address, first, inequity between men and women, and second, inequity between urban and rural women. In this respect, measures have been proposed to deal with differences between educated and illiterate women, and between women whose mother tongue is Spanish and those whose mother tongue is native. As well, introduction of the security focus has been proposed, in order to stress the causal relationship that exists between poverty and violence, and the limitations it imposes on development opportunities.

N.2. As well, the medium and long-term policy guidelines give priority to women who are mothers. In the 13th Policy under the National Accord, the State undertakes to expand and decentralize health services, especially in the country's poorest areas, with priority to women, children, seniors, and the disabled. It also promotes healthy maternity and family planning services, offering free choice of methods without coercion. Consistent with this policy, the Comprehensive Health Insurance (SIS) system has been established, which gives preference to mothers and children, and which is to target its resources at persons excluded from the benefits of public health services. This insurance finances prevention and promotion activities in order to forestall illness, the treatment of which far exceeds the cost of prevention programmes.

Special measures

N.3. The Antipoverty Roundtables. One of the steps agreed between the State and civil society was the establishment of Antipoverty Roundtables (Mesas de Concertación de Lucha Contra la Pobreza, MCLCP)[10] , consisting of representatives of government agencies, local governments, civil society institutions, churches, and international cooperation agencies. All of these groups participate in decision-making and establish the tasks and activities to be conducted over the medium and long term. Women are playing a significant role in this work. For example, 20% of the members of the Roundtables' executive committees at the national, provincial and district level are women. Similarly, 30% of the coordinators of the 25 regional roundtables are women[11] . A woman is in charge of the Executive Secretariat for the National Roundtable, and she is supporting activities sponsored by the ILO under the programme "Gender, Employment and Poverty, which seeks to incorporate the gender perspective into the experiments sponsored by the Roundtable.

[10] Created on 18 January 2001 by Supreme Decree (D.S.) No. 01-2001-PROMUDEH . In July 2001 D.S. No. 014-2001-PROMUDEH was issued, amending and supplementing the basic decree.

[11] There are 178 provincial roundtables, and some 1000 district roundtables.

N.4. The Roundtable participated in the National Education Forum, to design the Quality Education for All Plan. As part of Working Group 5 on equity, it stressed the need to consolidate education policies for rural girls and for the country's various ethnic populations.

N.5. Currently, the Roundtable is participating in the Multisectoral Committee to prepare the Poverty Reduction Strategy under the direction of the PCM (Office of the President of the Council of Ministers). It is also involved in efforts to address the emergency in rural education, especially for girls.

N.6. The Roundtable is promoting rules for participation by civil society in regional governments, and is supporting public knowledge and debate about the Regional and Local Coordination Committees. It is encouraging the preparation of coordinated local plans, and it includes members of civil society who have traditionally been excluded. It is working to include the dimensions of human development, including the gender focus, in the preparation and evaluation of the Coordinated Plans for 2004.

N.7. FONCODES. The National Fund for Compensation and Social Development[12] , one of the most important agencies in the fight against poverty, has established a quota for women's participation in the "executing unit" that directs and administers the project[13] . One of the four representatives in that unit must be a woman, and there is also a provision to the effect that project managers must be elected by direct vote. FONCODES is focused on human rights and social development, and its main activity is to strengthen and develop community capacities from the viewpoint of equity and social inclusion. This equity focus relates to the task of mainstreaming gender equity, as has already been done with the dimensions of citizenship, interculturalism and environmental conservation. The Fund meets unmet basic needs of the poorest sectors in our country, and also promotes employment and income generation for the poor and extremely poor, and fosters local capacities and institutions in support of decentralization and national development. One successful experiment undertaken by FONCODES, relating to women, can be appreciated in the degree of parity it has achieved in allocating microcredit: of 30,550 small enterprises that received loans in 2002, 47.19% were businesses headed by women.

N.8. National Watershed Management and Soil Conservation Programme (PRONAMACHCS) and Natural Resource Management in the Southern Sierra Project (MARENASS). The PRONAMACHCS programme and the MARENASS project of the Ministry of Agriculture are helping to develop the productive and technical capacities of rural women and men for addressing problems that range from natural resource degradation to improving their housing and living conditions.

N.9. The MARENASS project, now in the follow-up phase, has shown positive results. Several communities have been quick to take invest the funds received. Women's groups have doubled or tripled their production and marketing funds, and have created a community microcredit system. Leading rural families, community officials, and Organized Women's Groups (GOMs) are reinforcing their planning and management capabilities in order to ensure continuity for the system when the project comes to an end.

[12] This agency is part of the MIMDES structure.

[13] This proposal was put forward as a suggestion in a 1997 directive.

Recommendation P : Violence

> "The Committee requests the State party to take into account General Recommendation Number 19 on violence towards women, and to guarantee systematic implementation of the National Programme of Action and of all the laws and measures relating to violence towards women and to monitor their impact. The Committee also urges the State party to guarantee that such violence will be prosecuted and punished with due speed and severity and to ensure that women subjected to such violence receive compensation and immediate protection and that the conciliation procedure envisaged in the law on family violence is not used to exonerate the perpetrators. The Committee recommends that the State party should conduct campaigns to increase awareness, including zero-tolerance campaigns, with the aim of making violence towards women socially and morally unacceptable. The Committee recommends that the State party should reinforce measures to guarantee that public officials - in particular the judiciary, health sector workers, police and social workers - are alert to all types of violence towards women. The Committee also recommends that the State party should collect specific data on all types of violence against women. The Committee requests the State party to categorize incest as a specific crime under the Penal Code and to promulgate specific legislation to combat sexual harassment."

P.1. Systematic implementation of the national action programme in all laws is guaranteed by the fact that the Programme has been institutionalized within the structure of government. Supreme Degree 008-2001-PROMUDEH, of 25 April 2001, created the National Programme against Family Violence and Sexual Abuse (PNCVFS), as a unit of the Ministry for the Advancement of Women and Human Development (today the Ministry of Women and Social Development), reporting to the Vice-Ministry of Women. The programme is responsible for designing and implementing actions and policies for the prevention and treatment of family violence and sexual abuse, and for supporting the victims of such violence, at the national level.

P.2. Currently, the PNCVFS has a budget that assures fulfilment of its annual plan. Among other things, it has successfully established and maintained 38 "Women's Emergency Centres", which provide specialized and free legal, psychological and social services throughout the country. The centres also sponsor prevention activities at the local level, through their outreach programmes.

P.3. Supreme Degree No. 017-2001-PROMUDEH approved the National Programme against Violence Towards Women for the Period 2002/2007, which has a multisectoral scope and perspective. It reflects the international commitments that the Peruvian State has accepted for the protection of human rights, and is a programming instrument for implementing policies designed by the State. Its strategic objectives are: to encourage changes in social and cultural patterns that tolerate, legitimize or exacerbate violence against women in its different manifestations; to institute prevention mechanisms, instruments and procedures; to offer timely and effective protection, care, rehabilitation and reparation through strategies that take into account the country's different cultural and geographic circumstances; to establish a system that will provide accurate, up-to-date and high-quality information on the causes, consequences and frequency of violence against

women; and to offer care, with priority for women in a situation of particular vulnerability, either because of their socioeconomic condition, their age, their ethnic status, or because they suffer a disability or are migrants or displaced persons.

P.4. The MIMDES is fulfilling the commitments assumed by the Sector, and has incorporated the relevant objectives, actions and targets into the Operating Plan of the PNCVFS.

Impact monitoring

P.5. The National Plan against Violence Towards Women 2002-2007 establishes institutional mechanisms for monitoring and evaluation. The "High-level Committee for the National Plan against Violence Towards Women", consisting of the ministers for the sectors involved in the plan, has the following main functions: a) to prepare and approve action plans, indicating annual targets and budgetary allocations sufficient to carry them out; b) monitoring and evaluation of implementation of the National Plan against Violence Towards Women; c) adopting the necessary corrective measures to ensure that the national plan is implemented, that its targets are met, and that its objectives are achieved.

P.6. The MIMDES chairs this body and is also responsible for technical and policy aspects of the Specialized Thematic Roundtables on Family Violence and Sexual Abuse. The two roundtables that have been constituted are responsible for: a) preparing periodic monitoring and evaluation reports on the National Plan; b) formulating observations and recommendations; c) submitting the monitoring and evaluation reports as well as the corresponding observations and recommendations for consideration by the High-level Committee; d) coordinating the adoption of measures for implementing the National Plan.

Prompt and severe prosecution and punishment

P.7. Between 2000 and 2003, measures were ordered to guarantee that all cases of violence will be reported, and making family violence a matter of public interest, so that any person who is aware of such a situation may report it. Moreover, procedures must involve a minimum of formality, and must establish short and strict time limits for police action.

P.8. The Interior Sector has a family section in the 2,931 commissioners' offices throughout the country to receive complaints of family violence or sexual abuse. In Lima, six commissioners' offices for women have been established, strategically located in the most densely populated districts (Independencia, Villa El Salvador, Las Flores, Callao, Lima- Cercado and Canto Rey – SJL). Their mission is to provide specific and specialized response in cases of family violence and sexual abuse. This year, services have been established to provide counselling, guidance, and data processing on the affected population.

Immediate compensation and protection

P.9. The Single Consolidated Text (TUO) of Law No. 26260, the "Family Violence Act", establishes policy guidelines and declares that it is a permanent policy of the State to combat all forms of family violence. That law also establishes measures to provide immediate protection for victims.

P.10. The purpose of this law is to establish a prompt procedure for protecting the victim. To this end, it has amended various rules, the last of which was promulgated on 18 May 2003. It contains a number of innovations: it specifies a strict time limit for the police investigation and it expands the discretionary powers of the Provincial Family Prosecutor to order extrajudicial measures of protection for the victim of family violence, giving imperative, i.e. compulsory force to such measures, under the responsibility of the prosecutor, as a prerequisite for bringing civil action before the specialized jurisdictional body. The prosecutor may act as the representative of the victim in proceedings before the corresponding jurisdictional body. Legal and specialized counselling is free.

P.11. Prosecutors are required to act promptly and with a minimum of formality during the entire extrajudicial and judicial proceedings. The field of action is varied: issuing protection orders extrajudicially, while requesting the courts to issue further protective measures and, as necessary, seeking precautionary measures, independent of any civil action that may be brought to halt acts of family violence.

P.12. To speed up proceedings for protection and treatment in cases of violence against women, the Attorney General's Office and the Office of the Prosecutor General have implemented decentralization of the Provincial Family Prosecutors' Offices of the judicial district in Lima. Each of them is now assigned functional pre-trial competence within a specific police district, and there are provisions for their periodic rotation. In addition, the Attorney General's office has signed agreements with various municipalities (San Juan de Miraflores, Villa María del Triunfo, San Juan de Lurigancho, Huaycán, Santa Anita, Villa El Salvador, La Molina, etc.), with the judiciary, and with MIMDES, for the creation of Provincial Family Prosecutors.

P.13. The gynaecology, paediatrics and mental-health services of the Ministry of Health are responsible for detection and recording cases, and for providing guidance and follow-up. During 2001 there were 95,332 "screenings" for family violence, involving for the most part women of childbearing age, adolescents and children.

Non-use of the conciliation procedure in the Law

P.14. Law No. 27982, amending the TUO of Law No. 26260, the Family Violence Protection Act, of May 2003, eliminates conciliation during the prosecution stage of family violence proceedings. Previously, Law 27398 eliminated extrajudicial conciliation in family violence cases, the consequence of which was the amendment of several articles of the Conciliation Act.

Awareness campaigns for public officials

P.15. Awareness campaigns for public officials are part of the Operating Plan of the National Programme against Family Violence and Sexual Abuse. That programme, reflected in the National Plan against Violence Towards Women 2002-2007, provides awareness workshops and training for officials of the judicial branch, the health and education sectors, the Attorney General's office, and the national police. The training modules contain topics relating to family violence and sexual abuse, human rights, the gender focus, and the assurance of quality service.

P.16. The training efforts of the National Police (PNP) deserve to be highlighted.

- Courses for the Community Police. 2,921 persons have been trained in issues dealing with: juvenile violence, family violence and sexual abuse, prostitution, abuse of street children and child workers. The General Plan of Non-academic Instruction for PNP Units 2002 includes topics such as family planning, the Code of Children and Adolescents, and Law 26260, the "Family Violence Act", that are to be covered in all police units. As well, the PNP Training and Specialization School has provided courses on family violence, for 1,572 police officers nationwide. It has also held discussion sessions, aimed specifically at female police officers, dealing with self-esteem and violence. However, the significant progress achieved in the non-academic field is not reflected in the regular programmes, where topics relating to women's human rights and gender issues have yet to be incorporated.

- The PNP has also created the Permanent Commission of Female Police and the Specialized Office for Women, within the Police Ombudsman's Office, for the advancement of women police officers. Priority activities include training and information programmes. In 2002, this Office coordinated the training workshop on "Gender, Socializing Agents, Sexual Roles, Gender Relations, and Family Violence".

P.17. Attorney General's Office. Through the Research Institute of the Attorney General's Office and the Prosecutor General's Office, training is being provided for prosecutors, physicians, forensic experts, psychologists and psychiatrists of the Institute of Legal Medicine and Forensic Assistance, through regular courses supported by international agencies and nongovernmental institutions.

P.18. In 2002 the Ministry of Education revived the " Culture of Peace, Human Rights and Prevention of Violence Programme" which includes intersectoral and interinstitutional roundtables dealing with topics including: child abuse, family violence and violence against women, peaceful dispute settlement, tolerance, social skills, gender equity, and strengthening protective factors. The programme is training teachers, social workers, instructors and specialists in the Sector.

Awareness campaigns

P.19. Through the PNCVFS, the MIMDES is conducting awareness and zero-tolerance campaigns to make violence against women unacceptable. The Sector has produced radio spots and press kits in the major cities of Peru (Lima, Cajamarca, Chiclayo, Lambayeque, Casma, Piura, Ayacucho, Arequipa, Oxapampa, Huánuco and Tacna), and is conducting annual mass media campaigns in connection with "International Day for the Elimination of Violence against Women". It also posts information on the Web and conducts outreach activities through pageants, fairs, local events and public forums. As well, it sponsors a variety of community activities to sensitize the public to the problem of family violence and sexual abuse.

P.20. Another body under the MIMDES that is working to eradicate gender-based and family violence is the National Family Welfare Institute (INABIF). It conducts prevention, promotion and detection activities through its "Family Promotion Programme". The INABIF provides training for parents relating to the rights of children and adolescents, the rights of women, and household responsibilities. It also holds workshops for raising self-esteem and developing social skills for target groups, and sponsors campaigns on gender equity and family promotion, with

national coverage (Ancash, Ica, Lambayeque, Maynas, Alto Amazonas, Junín, Sicuani, Huancavelica, Satipo, Puno, Tacna, Tumbes, Piura, Iquitos, Yurimaguas, San Ramón and Cusco). These campaigns are coordinated and multidisciplinary, and involve other institutions such as the DEMUNAs (Offices of the Municipal Defender of Children and Adolescents), prosecutors' offices, the Ministry of Health, and the Women's Emergency Centres. This year it has conducted campaigns in Lima, in the following districts: Ciudadela Pachacútec; Nuevo Pamplona; Nueva Jerusalén, Sol Naciente and Valle Sagrado in Carabayllo; Mi Perú in Ventanilla; Huaycán; Ramón Cárcamo; Caja de Agua and Lomo de Corvina.

P.21. These campaigns are aimed at promoting healthy family relationships and preventing family violence. They highlight the prevention of violence against women, and offer a variety of legal, social and psychological services.

P.22. The Ministry of Education is sponsoring the establishment of a "School Ombudsman for Children and Adolescents" in education centres, in response to the spread of violence in the schools and to defend and promote the rights of children and adolescents. These offices engage in prevention and community mobilization work among students to prevent family violence, mistreatment and sexual abuse of children.

P.23. The National Police of Peru provides training and awareness courses to social liaison staff working with children and youth, aimed at preventing and dealing with family violence and sexual abuse in the context of their programmes: Neighbourhood Boards, Drug Abuse, Youth Patrols, "Young Friends of the Police" Club, and the Colibri and Gaviota programmes.

P.24. The Ministry of Health sponsors activities for the prevention, detection and treatment of cases of family violence and violence against women. In recent years it has been reaching out to individuals and communities through intersectoral coordination, information, education and communication (publicity campaigns, fairs festivals, school competitions, distribution of educational materials) and training and coaching for community promoters and social workers. These activities seek to promote nonviolent relational alternatives, prevention, human rights, and awareness of the law on family violence. Workshops are directed at the general public and at service providers at the delivery and management levels. Noteworthy prevention experiments include the "social skills workshops' organized by the "Mental Health Programme" and the strategy known as "Promoting Health in the Schools", which is aimed at the educational community as a whole.

Systematic data on types of violence against women

P.25. The PNCVFS has an Investigations and Registration Branch that compiles available information on family violence and sexual abuse. It also processes information on victims treated at the Women's Emergency Centres and cases reported over the women's help hotline "Ayuda Amiga". It now has a database that is updated every month as new cases are reported. That information is used as input for evaluation and monitoring, and can be consulted by other public and private institutions interested in the issue.

P.26. In 2000, the National Institute of Statistics and Information Science (INEI) conducted the Demographic and Family Health Survey, ENDES 2000 (or ENDES IV), at the request of the Ministry of Health, as part of phase IV of the worldwide

programme of Demographic and Health Surveys (DHS). For the first time in Peru, the ENDES 2000 survey included a module on family violence, in order to determine the national dimensions and characteristics of this problem. Women "once partnered" were asked about episodes of verbal and physical violence by their spouse or partner. All women were asked whether another person had committed violence against them, whom they turned to for help, and whether they sought institutional help. Women who responded negatively were asked why they did not seek assistance. Women who had at least one child living at home were asked who disciplined them, and to specify the form of punishment. The ENDES 2003 includes an updated and refined module on violence, using certain indicators specifying, for example, the time it took to report an event. The changes are the result of observations from public-sector experts and nongovernmental organizations, as well as experience in other Latin American countries, in particular the Dominican Republic, where the expanded questionnaire has been validated.

P.27. The INEI is in constant interaction with the sectors and with civil society to analyze and critique the questionnaire and the data. Information from the ENDES is readily available: the results are published in printed format and are available online at the institution's web page.

P.28. The Office for Human Rights and Citizen Participation of the Seventh Region of the National Police of Peru (PNP) is responsible for processing statistics on the specialized services offered by the institution. The Ministry of the Interior, in coordination with the public and private sectors, compiles and processes information on violence against women. A survey on violence, discrimination and gender equity is now in preparation, and will be applied to personnel in the various regions and directorates of the PNP, in order to assess the real situation among police officers, and in particular that of female personnel.

Incest as a specific crime

P.29. Our penal legislation does not make incest a crime in itself. However, in the definition of crimes of wounding, sexual violation and indecent acts, incest is treated as an aggravating factor, triggering more severe penalties if the act is committed by a person who is the victim's relative by blood or marriage.

Legislation against sexual harassment

P.30. The Prevention and Punishment of Sexual Harassment Act was published on 27 February 2003, establishing administrative penalties for violators. However, this behaviour does not constitute a crime. Article 4 of the Act defines sexual harassment as the repetition of any unwanted physical or verbal behaviour of a sexual nature by one or more persons, taking advantage of a position of authority or seniority or other status, against a person or persons who reject such behaviour as affecting their dignity and their basic rights.

P.31. The scope of application of the law covers the public and private workplace, as well as police and military institutions, including civilian personnel who work in or provide services to those institutions. It also includes any persons involved in the management of educational institutions, as promoters, directors, advisers, teachers, administrative or service personnel. The law also stipulates that it applies to other persons in a relationship of subjection, even when they are covered by civil

provisions. This rule constitutes an advance in the prevention and punishment of acts of sexual harassment that violate the fundamental rights of persons, and in particular those of women. The regulations to Law 27942 were published on 26 November 2003.

Recommendation R

> "The Committee recommends that the necessary measures should be taken to guarantee implementation of the provisions of article 11 of the Convention and application of the International Labour Organization Conventions, in particular those on nondiscrimination in employment and equal remuneration for women and men. The Committee recommends that measures should be taken to eliminate occupational segregation, in particular through education and training."

Measures necessary to guarantee compliance with provisions of Article 11 of the Convention and application of the International Labour Organization Conventions

R.1. The Political Constitution of Peru establishes, in generic terms[14], the right of equality before the law, and prohibits any type of discrimination between men and women. Similarly, that same principle is referred to in the right to work[15], which establishes equal working opportunity for men and women.

R.2. Consistent with the ILO conventions on nondiscrimination in employment, the Peruvian State promulgated a law making discrimination a crime, and imposing sanctions on those who engage in discriminatory labour practices. Law No. 27270, promulgated in May 2002, provides that "the offer of employment and access to educational training centres may not contain requirements that constitute discrimination, annulment or alteration of equality of opportunity or treatment". It gives the Ministries of Labour and of Education the administrative responsibility for supervision and control. The Ministry of Labour has also issued regulations governing sanctions and parameters relating to discriminatory labour practices.

R.3. The issue of remuneration is dealt with in the first paragraph of article 24 of the Constitution, which guarantees that all work performed by a man or by a woman must be remunerated. It does not establish any specific scale or type of remuneration. Our legislation sets the minimum amount that must be paid to any male or female worker who is covered by the labour regulations governing private activity and who works for at least four hours daily, regardless of the date of hiring. Such remuneration is regulated by the State, with the participation of organizations representing workers and employers. Currently, the minimum living wage, set by Emergency Decree No. 022-2003, "Adjustment to the Minimum Living Wage", is S/. 460.00 a month, or S/. 15.33 a day.

R.4. The Peruvian government has ratified several ILO conventions, including Convention 100 on equal remuneration and Convention 111 on discrimination in respect of employment and occupation. It has also issued specific rules against acts of discrimination in the workplace:

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14 Article 2 (2) of the Political Constitution of Peru.

15 Article 26 (1) of the Political Constitution of Peru.

R.5. Law No. 26772, "Acts of Discrimination in Offers of Employment and Access to Educational Training Means". Article 1 prohibits any type of discrimination, annulment or alteration of equality of opportunity or treatment, in the conditions of offers of employment. The purpose of this rule is to eliminate any type of discrimination in employment.

R.6. Supreme Decree 002-98-TR, Regulations to Law 26772, provides that persons who consider themselves affected may complain to the Administrative Authority of Labour, and specifically to the Directorate of Employment and Vocational Training, which will process the complaint. The time limit for bringing a complaint is 30 working days. Subsequently, the Authority will notify the complaint, for response within 10 working days of its receipt. Once the response is received, or the time limit for presenting it has expired, the Authority will decide whether the complaint has merit or not. The time limit for this pronouncement may not exceed 20 working days, and the decision may be appealed within three working days after it is notified. A motion of appeal will be decided by the next highest body, within 10 working days of its filing. If the complaint has been laid ex officio, it will be replaced by a notification of the Administrative Authority of Labour.

R.7. Ministerial Resolution 2072-2002-IN/DDP, approving Directive 001-2002-IN/DDP-OEMUJ of the Ministry of the Interior, establishes "Rules and Procedures for Promoting Respectful Interpersonal Relations for the Prevention and Punishment of Sexual Harassment in the Interior Sector", for the purpose of improving relations between men and women working in institutions of that Sector.

R.8. Law 27942, "Law on Prevention and Punishment of Sexual Harassment", and its regulations, Supreme Decree 010-2003-MIMDES, is intended, in comprehensive terms, to prevent and protect against any act of sexual harassment that stems from a relationship of authority or dependence.

Special programmes and projects

R.9. Programme for Women Entrepreneurs-PROFECE. This programme is intended to improve labour market access for low-income women with family responsibilities. It operates in poor urban areas of the country to create equal economic and social conditions and opportunities for women to improve their employment options and their skills, so that they can earn a sustained income.

R.10."PROARTEX Project. Skills Development for Female Handicraft Weavers Living in Poverty." This project has helped 6,598 women weavers by providing them with cooperative mechanisms and training courses, facilitating their participation in local and national fairs (as non-fixed points-of-sale) and in business networks, and offering them service and information centres and fixed point-of-sale.

R.11."Support Project for Income-Generating Social Initiatives for Women Living in Poverty. PIES". This project sponsors social initiatives for sustained income generation and for helping women's organizations to run small local businesses.

R.12.Women's Temporary Employment Training Programme of the MTPE (Ministry of Labour). This programme has benefited more than 3,000 women between the ages of 15 and 65. It was created in 2001 to promote training and subsequent employment.

R.13.Business Management and Product Development Training Programme for Female Entrepreneurs in Metropolitan Lima. This programme has provided training to 575 persons, 97% of whom were women.

R.14.Project of Assistance for Regulation of the Energy Sector in Peru. Implemented by the Canadian Petroleum Institute and the Ministry of Energy and Mines. It includes gender equality among its activities, and has prepared a diagnostic analysis on "Gender Equity in the Hydrocarbon Sector", identifying ways to incorporate the gender focus in State bodies in the energy sector.

Complementary programmes

- PRO JOVEN (the MTPE's Occupational Training Programme for Youth), in which participants average 54% women and 46% men.
- Business Management and Product Development Training Programme for Female Entrepreneurs in Metropolitan Lima: 97% women and 3% men.
- Marketing Coordination Agents (Agentes de Articulación Comercial, AGAs). Of total participants in this programme, 90% (2,263) were women, and 10% (250) were men.
- FONDEMI-BONOPYME Programa Perú Emprendedor (Peru Entrepreneur Programme), aimed at businesses with fewer than 20 workers. Between April and September 2003, women represented 42% of beneficiaries.
- Self-employment and Microenterprise Programme (PRODAME). To July of 2003, this programme had helped establish 2,187 microenterprises and provided direct support to 5,190 male and female entrepreneurs.
- The Registry of Productive Units Headed by Women identified a total of 3,579 persons served by the programme, 93% (3,343) of whom are women, and 7% (236) are men.
- The CONADIS (National Council for the Integration of Persons with Disabilities) will sign a contract with the ONCE Foundation for Solidarity with Blind Persons in Latin America (FOAL), to promote employment opportunities for the blind. A percentage quota has been established for women.

Eliminating segregation through education

R.15.The Campaña de Universalización de la Matrícula Oportuna ("Campaign to Universalize Timely Graduation") is an important measure targeted at the education community, to eliminate segregation through education and reduce the school dropout rate, which is particularly high among girls and female adolescents. With a similar objective, the Ministry of Education, through the National Directorate for Adult Education and the Literacy Programme, is facilitating adult access to education.

Recommendation T

"The Committee recommends that strategies should be adopted to increase the number of women involved in decision-making at all levels, through the

adoption of temporary special measures in accordance with article 4, paragraph 1, of the Convention, and that the State party should strengthen its activities to promote women to posts of responsibility in both the public and private sectors, with special training programmes and publicity campaigns on the importance of women's participation in development planning and decision-making."

T.1. To ensure women's participation in decision-making bodies, the Peruvian State has been moving systematically to adopt affirmative action, such as election quota laws.

T.2. Article 116 of the current Elections Act (Ley Orgánica de Elecciones)[16] increases the gender-equity quota, and provides that "lists of candidates for Congress in each electoral district must comprise at least 30% women and at least 30% men. In electoral districts in which there are lists with three candidates there must be at least one woman and at least one man". In exercise of its regulatory powers over election rules, the National Elections Board in plenary session established the number of female candidates that must occupy congressional seats, through the following resolutions:

T.3. Resolution 057-2001-JNE (17 January 2001), established the number of seats for each electoral district for the general elections of 8 April 2001 (see Annex: Table 6, Column G) and Resolution 068-2001-JNE (22 January 2001), which establishes the minimum proportions of women and of men that must comprise the lists of candidates for Congress, for each of the electoral districts for the general elections of 2001 (Column H in Table 6 in the Annexes). In three of the 25 Electoral Districts, the distribution of seats did not correspond mathematically to the 30% gender quota. Exact compliance with that requirement was in those cases mathematically, physically and legally impossible. Nevertheless, the final result was positive for women, who achieved in practice a quota of 36%.

T.4. The electoral outcome, however, was not as expected. Although there were 11% more female candidates in the 2001 general elections than in the 2000 general elections, and although the gender quota was raised by 5%, the proportion of female representation in Congress fell by 4%, i.e. to 18%, compared to 22% in the 2000 elections. One factor explaining this decline was that, in the 2002 general elections, voting was based on a Multiple Electoral District, which meant that female candidates and leaders were not thoroughly assessed by voters in the provinces. (Table 7 in the Annexes).

T.5. Regional Elections Act, Law 27683, published in the Official Gazette El Peruano of 25 March 2002. This Law regulated for the first time the election of our regional authorities, and again imposed the gender quota:

> Article 10. Registration of candidate lists: (...) The List of Candidates for Regional Council must consist of one candidate from each province in the order in which the political movement or party shall decide, including an alternate in each case; also, no fewer than 30% of men or women, and a minimum of 15% of representatives of native and rural communities in each region where they exist, as determined by the National Elections Board (...). Regulations to this rule were issued by the JNE Plenary.

[16] Amended by Law No. 27387 published 29 December 2000.

T.6. Regulations to the Municipal Elections Act. The full National Elections Board (JNE), by means of Resolution 185-2002-JNE published in the Official Gazette El Peruano on 13 June 2002, established the minimum number of candidates of either gender that must be presented in each list of regional candidates. As can be appreciated from Table 8 (see Annex), the JNE raised the quota in practice to 36.8%, well in excess of the legally required quota of 30%.

T.7. Outcome of the 2002 regional elections. These were the first regional elections ever held in our country. In terms of successful female candidates, the results were as follows: three women were elected as regional presidents, four as regional vice-presidents, and 51 as regional councillors (Table 9, in the Annexes).

T.8. Increase in the gender quota in a Municipal Elections Act. Article 10 of the Municipal Elections Act, Law 26864 (amended by Law 27734 of 28 May 2002) increased the gender quota by 5% (to 30%), and also established a native quota of 15%.

T.9. Resolution 089-2002-JNE, published in the Official Gazette El Peruano of 23 March 2002, established the number of regidores or councillors for each Municipal Council, pursuant to article 24 of Law 26864, and Resolution 186-2002-JNE published on 13 June 2002 established the minimum number of candidates for municipal elections, in light of the number of members on each municipal council, making clear that the minimum quota must apply to men in cases where the list would otherwise consist solely of women.

Minimum number of candidates of one or the other sex

Municipal, Provincial and District Councils by Population	*Total councillors by population*	*30% of total*	*Minimum by sex*
Provincial Council of Metropolitan Lima	39	11.7	12
500,001 or more inhabitants	15	4.5	5
300,001 to 500,000 inhabitants	13	3.9	4
100,001 to 300,000 inhabitants	11	3.3	4
50,001 to 100,000 inhabitants	9	2.7	3
25,001 to 50,000 inhabitants	7	2.1	3
25,000 or fewer inhabitants	5	1.5	2

T.10. Results of the 2002 municipal elections. The results for the 2002 municipal elections were as follows:

Position	*Vacant positions*	*Female candidates elected*	*Percentage*
Mayors	1842	60	3.31%
Councillors	10,289	2,644	25.7%

T.11. With respect to temporary measures to promote women's participation in public and private decision-making, the National Election Procedures Office (ONPE) adopted the following objectives for its 2002 programme:

- 2002 Institutional Operations Plan (approved by RJ 013-2002-J/ONPE of 12/01/2002) and its Reprogramming (approved by RJ No. 232-2002-J/ONPE of 12/07/2002) provides as follows:

Partial objective 1.4

Specific objective 1.4.2. To expand the public coverage of participation, by facilitating access for persons in special situations.

- General Plan for the 2002 Regional-Municipal Elections (approved by RJ No. 236-2002-J/ONPE of 16/07/2002). Specific Objective 7 provides:

  "To guarantee the right to vote for vulnerable sectors of the population", proposing as a target that all training courses must include the ONPE provisions guaranteeing the voting rights of persons with disabilities, rural women, and native and indigenous people.

- Voter Education Plan for the 2002 Regional and Municipal Elections (Training Division of ONPE). With respect to voters who are members of minority groups, the plan calls for "expanding the delivery of educational messages to vulnerable voters: persons speaking native languages, illiterates, rural women, and persons with disabilities, in order to increase their participation and allow them to cast an informed vote". Targets 2 and 3 relating to the objective call for "training or guidance for 25% of the country's native language-speaking voters" (Quechua, Aymara, Aguaruna, Shipibo and Asháninka) and "guaranteeing a participation quota of at least 30% for women in election training activities organized by ONPE".

T.12. As well, the National Election Procedures Office made the following findings:

- The national rate of female abstentions in the 2001 general elections was 17.72%, and was as high as 30% in rural departments.

- Those statistics demonstrate the relationship between female voter abstentions and poverty, rural isolation, and illiteracy.

- Poor and rural women have been manipulated in their exercise of the vote, because they are not aware of their rights.

T.13. The ONPE has prepared and implemented a special project on "Promoting the Exercise of Women's Voting Rights in Rural Areas", covering marginalized urban zones as well. Project goals:

- To provide training for 60% of women's organizations in focus areas, dealing with independent, free and informed voting, and rights of participation and control.

- Reducing abstention rates by 3% in focus areas, in comparison with the last municipal elections.

- Ensuring the participation of 50% of women in election education activities in the focus areas.

- Distributing educational messages in 70% of provinces to encourage women to participate in elections.

T.14. The programme calls for the following activities:

- Contracting specialized public and private institutions to identify risk factors that threaten women's right to vote freely and independently, as well as to help with technical validation of educational materials, to identify the beneficiary

population, to organize educational campaigns, and to facilitate local contacts for providing training.

- Preparation of a training module on women's political rights, printing of educational materials in Spanish and in native languages, and materials suitable for illiterates.
- Design of manuals and methodological guidance for training trainers.
- Design and implementation of awareness campaigns, using the local media, ONPE personnel, and institutions contracted for this purpose.
- Contracts with the communications media, newspapers, TV channels and radio networks, to facilitate access for the educational campaign.
- Preparation and distribution of printed and audiovisual materials in Spanish and in native languages.

T.15. The geographic focus areas selected for the special programme were:

Department	*Locality*
Amazonas	Chachapoyas
Ayacucho	Huamanga
Cusco	Cusco
Huancavelica	Huancavelica
Junín	Huancayo
Loreto	Iquitos
Pasco	Cerro de Pasco
Puno	Puno
Ucayali	Pucallpa – Calleria
Lima – Conos	Lima Sur: San Juan de Miraflores, Villa El SalvadorLima Norte: Comas, Puente Piedra, Carabayllo Lima Este: San Juan de Lurigancho, Vitarte

T.16. The National Election Procedures Office signed a cooperation agreement with the United States International Development Agency (USAID) to upgrade its services for the 2002 regional and municipal elections, in terms of institutional strengthening and voter education, in order to facilitate voting for disadvantaged groups such as indigenous people, illiterate rural women, and persons with disabilities. The general objective of that agreement is "to organize and conduct municipal and regional elections in such a way that the outcomes faithfully reflect the will of the voters, by promoting citizen participation, in particular that of the 'special groups', in decision-making at the local and regional levels".

T.17. The Operations Plan for the Agreement called for training activities that will promote voting by women in the geographic focus areas, and an information and awareness campaign relating to free and independent voting. That campaign sought to foster the motivation to vote, awareness of procedures, and recognition that voting is a duty that goes with the right of public participation.

T.18. Among the targets in the Operations Plan are the following:

- To train 1,400 promotion workers so that they can replicate the experiment within their organizations.

- To ensure a 50% participation rate for women in the education activities.

- To disseminate educational messages via radio and TV to 80% of the electorate in the regional and national focus areas.

T.19. The National Election Procedures Office has achieved significant results to February 2003 in its efforts to democratize decision-making by involving women and men. According to reports from 115 Decentralized Election Procedures Offices, the National Training Plan has produced the following results:

- 51% of the voters who received training or guidance through workshops, kiosks, campaigns and personalized activities were women.

- Those activities reached more than 772,000 native language speakers (Quechua, Aymara, Aguaruna, Shipibo and Asháninka) over 18 years of age, 46% of whom were women.

- Educational and informational materials were prepared and distributed, targeted particularly at women. One example was the poster Nosotras Decidimos ["We women will decide"], stressing the importance of women's vote, which was produced in two versions, one for rural women and the other for women living in urban areas. Brochures were also prepared, to encourage women to participate in the elections: 40,000 copies were distributed in rural areas, and 60,000 in urban areas.

- In addition to these activities, mass media spots and publicity campaigns have been broadcast nationally and locally. Those spots urged people to take part in the voting, and instructed them how to do so. One spot specifically stressed the importance of women's participation in the elections.

- Training was provided in various forms to 382,846 women, representing 15% of the female electorate who received training nationwide.

- It is estimated that voter information and education activities reached 48% of women's organizations in the focus areas. At the same time, 282 women's organizations, such as the vasos de leche ("glass of milk" leagues) committees, mothers' clubs, Comedores Populares or community kitchens and others, played an active role in disseminating education materials among their members.

- 61% of people taking part in the training activities were women.

- 609 promoters were given training, which they voluntarily replicated in their organizations.

T.20. DS No. 006-2003, issuing regulations for the "Law on Participation of Mothers' Clubs and Independent Community Kitchens", guarantees participation by women's organizations in government food programmes at the municipal, regional and national levels. It also establishes a mechanism for co-management of the National Food Aid Programme, PRONAA.

Temporary measures

T.21. The Antipoverty Roundtables have provided a new forum for women to express their expectations and take action.

T.22. The municipalities have taken initiatives to promote women's participation in neighbourhood organizations. The Provincial Municipality of Callao issued Municipal Ordinance No. 00-0002 of 6 March 2001, setting a minimum quota of 30% for either sex in neighbourhood boards, election committees, and public works commissions. Various NGOs have been supporting the work of the municipal councilwomen throughout Peru.

T.23. In September 2003, Cooperación Popular ("Grassroots Cooperation", COOPOP) launched a special effort to promote citizen participation and oversight. It was able to reach 31,866 persons directly, and 191,196 persons indirectly, through public participation and oversight workshops, and campaigns dealing with communication and institutional image, full citizenship and political neutrality, among other activities.

Leadership

T.24. The Ministry of Women and Social Development, through its Programme to Support the Resettlement and Development of Emergency Zones (PAR), is sponsoring social projects to address the impact that political violence has had on women, and to prepare them to take the lead in developing their communities by participating actively in public and decision-making forums. It has trained 5,625 women leaders in community development. Since 2003, the issue of women's participation has been incorporated into projects for Reconstruction of Democratic Institutions and Promotion of Human Rights. Training modules have also been implemented for leaders of both sexes (8,798 women) who will participate in their community's public life and decision-making.

Recommendation V

> "The Committee urges the State party to consider the possibility of reviving the Women, Health and Development Programme. The Committee recommends that the State party should give priority to the situation of the adolescent population and also urges it to adopt measures to strengthen the family-planning programme and to guarantee access to sexual and reproductive health services, attending to the information needs of the population, particularly adolescents, by pursuing programmes and policies geared to increasing knowledge about various contraceptive methods and their availability, on the understanding that family planning is the responsibility of both partners. It also urges the State party to promote sex education for the entire population, including adolescents, giving special attention to efforts to prevent and combat HIV/AIDS and to improve the dissemination of information about risks and ways of transmission."

Examining the situation of the adolescent population

V.1. Approximately 22% of the Peruvian population is between the ages of 10 and 19 years. Of the female population between 13 and 19 years, 13% are mothers or are pregnant for the first time. It is estimated that 8% of female admissions to Ministry of Health hospitals are under 19 years of age (Cordero 2001), and that 14% of those admissions are for abortions.

V.2. Aware of the need to reverse this situation, the Peruvian government has incorporated into the National Plan of Action for Children and Adolescents 2002-2010 (MIMDES) a specific objective (Strategic Objective No. 8) and four targets for reducing the adolescent pregnancy rate:

- Reduction of the adolescent fertility rate by 30%.
- Reduction of the adolescent maternal mortality rate in marginal Andean and Amazonian areas by 55%.
- 70% of education centres to develop curriculum content on sex education, gender equity, prevention of high-risk sexual behaviour, prenatal care, and comprehensive care for children.
- No adolescent should abandon her studies because of pregnancy.

V.3. In this context, the National Family Welfare Institute, INABIF, of the Ministry of Women and Social Development offers services specifically targeted at adolescent boys and girls. In 2002, it provided attention to 2,113 teenagers between the ages of 13 and 17 with socioeconomic problems, as part of its efforts to develop skills, aptitudes and values. It has made major efforts to prevent premature pregnancy, drug abuse, and gang behaviour. The beneficiaries included 923 female adolescents in 15 departments of Peru.

Strengthening the family planning programme

V.4. The Peruvian government has confirmed at the highest level its commitment to develop family-planning services. The 13th Policy of the National Accord of July 2002, on access to health services and social security, sets the objective of promoting safe maternity and offering family-planning services with free choice of methods, and without coercion. The National Accord is the guiding instrument for public policies, reflecting a broad national consensus on the direction that development should take over the next 20 years.

V.5. The reform of the State has implied an overhaul of its institutions. The Ministry of Health has been restructured in order to develop a comprehensive care model. Some programmes have been replaced by others or have been merged, incorporating their objectives, activities and goals into the new operations plan.

V.6. The "Rules of the National Family Planning Programme", published in September 1999, continue to govern MINSA establishments. Strategies include promoting the exercise of civil citizenship, reproductive rights, and development of the gender focus in family-planning services. As well, article 6 of the General Health Act (Law 26842 of 1998), which remains in force, stipulates the right to information and to free choice of contraceptive methods.

V.7. The Ministry of Health's Family Planning Programme provided information and counselling services to 1,290,791 women of childbearing age between January and December 2002. Institutions of the Ministry of Health, ESSALUD (the health insurance system) and the Armed Forces provided protection to 1,342,330 couples in 2000; 1,371,614 in 2001; and 1,411,646 in 2002.

Promoting sex education

V.8. The Ministry of Education conducts the National Sex Education Programme, which is designed in accordance with the Population Policy Act, the 1998-2002 Population Plan, the agreements of the International Conference on Population and Development (Cairo, 1994), and the International Conference on Women (Beijing). This international framework of policies and commitments forms the basis of the National Sex Education Programme[17] , which provides training for teachers throughout the country.

V.9. The Ministry of Education is providing training programmes for teachers in sexual and reproductive health, dealing with such topics as pregnancy, childbirth, contraception, and sexual and reproductive rights. To September 2003, some 3,500 teachers had received training in sex education and the prevention of sexually transmitted diseases. Training has also been provided to rural education specialists and directors. On a lesser scale, training has been provided for student leaders in the third, fourth and fifth years of secondary education.

HIV/AIDS prevention

V.10. AIDS has been present in Peru since 1983. To September 2000 a total of 13,257 cases had been reported. The male/female ratio declined from 23.3 in 1987 to 3.2 in September 2002. Of the 9,000 AIDS cases reported to October 2001, 19.02% were female.

V.11. In this context, the National Multisectoral Health Commission was constituted in 2002, comprising the Ministries of Health and Education, NGOs, grassroots social organizations, academic, religious and other organizations, for the purpose of preparing a project for "Strengthening Prevention and Control of Tuberculosis and AIDS in Peru". The proposal was approved and the AIDS component has a five-year budget of US$23,671,871, thus guaranteeing systematic action to confront the problem. Specific activities are planned for groups that show a high prevalence of STD (sexually transmitted diseases) so as to provide comprehensive care for groups at risk (counselling services, regular clinical assessments, laboratory tests, and delivery of inputs), at convenient times and with trained personnel. With these efforts, it is hoped to limit the incidence of STD in this group, and consequently prevent the spread of these diseases to the general population. The government has also planning a campaign for "Promoting changes in behaviour and adoption of sexual conduct of lower STD risk". This campaign will promote partner fidelity, postponement of initial sexual activity among youth, and a reduction in casual sexual relations.

Recommendation X

"The Committee recommends that all necessary measures should be taken to continue to provide the service of surgical sterilization so as to give women

[17] "Governments, in collaboration with non-governmental organizations, are urged to meet the special needs of adolescents and to establish appropriate programmes to respond to those needs. Such programmes should include support mechanisms for the education and counselling of adolescents in the areas of gender relations and equality, violence against adolescents, responsible sexual behaviour, responsible family-planning practice, family life, reproductive health, sexually transmitted diseases, HIV infection and AIDS prevention" (ICPD Programme of Action, Section 7.45, Cairo, 1994).

the right of free choice as regards their reproductive health, after they have been duly informed of the medical details and consequences of the operation and have given their consent. The Committee also recommends that a recurrence of these incidents should be avoided in the future. It further recommends that efforts should be continued to bring before the courts the persons responsible for this violation of the right to health."

Efforts to bring before the courts the persons responsible for this violation of the right to health

X.1. The Attorney General has appointed Ad Hoc Provincial Prosecutors to investigate complaints of surgical sterilization without consent.

X.2. In 2002, the National Congress called on the Investigative Commission of the Ministry of Health to report on the occurrence of sterilization without consent.

X.3. The Ministry of Health has issued standing instructions to the health services to pay full regard to technical considerations when performing surgical interventions, recognizing that this is an irreversible procedure.

X.4. The Executive Secretariat of the National Human Rights Council of the Ministry of Justice, through the Special Committee for Monitoring and Follow-up of International Proceedings (CESAPI), created on 28 April 2001, receives, processes and monitors proceedings under international human rights instruments.

X.5. In accordance with its international and national commitments regarding women's rights, the Peruvian State has signed two agreements of friendly settlement before the Inter-American Commission on Human Rights (IACHR), thereby resolving the so-called Salmón Horna case[18] (rape of a female health service client by a public official) that was reported to the Commission by CLADEM (Latin American and Caribbean Committee for the Defence of Women's Rights) and CRLP (Centre for Reproductive Law and Policy) and the case of María Mamérita Chávez. In the case of María Mamérita Chávez (IACHR No. 12.191), who died as the result of forced surgical sterilization, the Peruvian State signed an agreement on 26 August 2003 with representatives of the victim's family (several institutions of civil society, national and regional, specialized in human rights), in which it promised to make a thorough investigation of the facts and apply legal punishment to any person determined to have participated in them, as planner, perpetrator, accessory, or in another capacity, even if they were civilian or military officials or employees of the government.

X.6. In this regard, the Peruvian State has pledged to conduct administrative and criminal investigations into the attacks on the personal liberty, life, body, and health of the victim, and to punish:

a) Those responsible for violating Ms. María Mamérita Mestanza Chávez' right to free consent.

b) The health personnel who ignored the need for urgent care for Ms. Mestanza after her surgery.

[18] At the recommendation of the Inter-American Commission on Human Rights, cases of sexual violence must be referred to by the name of the aggressor, to prevent the name of the victim from being publicized in the media.

c) Those responsible for the death of Ms. María Mamérita Mestanza Chávez.

d) The doctors who gave money to the spouse of the deceased woman in an attempt to cover up the circumstances of her demise.

e) The Investigative Commission, named by Cajamara Sub-Region IV of the Health Ministry, which exonerated the health personal from responsibility for Ms. Mestanza's death.

X.7. Apart from the administrative and criminal penalties, the Peruvian State pledged to report any ethical violations to the appropriate professional association so that it can apply sanctions to the medical personnel involved in these acts, as provided in its statutes. In addition, the State pledged to conduct administrative and criminal investigations into the conduct of agents of the Attorney General's Office and the judicial branch who failed to take action to clarify the facts alleged by Ms. Mamérita Mestanza's widower.

X.8. The agreement provides for comprehensive reparation to the victim's children and spouse, including a cash payment, health and education assistance, and a land transfer. The settlement does not exclude the beneficiaries' right to seek damages from all those responsible for violation of Ms. María Mamérita Mestanza's human rights, as determined by a competent court in accordance with Article 92 of the Peruvian Penal Code, a right that is recognized by the Peruvian State.

X.9. Having accepted international responsibility, the Peruvian State, in this first case concerning forced sterilization, pledged:

1. To change laws and public policies on reproductive health and family planning, eliminating any discriminatory approach and respecting women's autonomy.

2. To adopt and implement recommendations made by the Public Defender's Office concerning public policies on reproductive health and family planning, among which are the following:

a. Penalties for human rights violators and reparation for victims

1. Conduct a judicial review of all criminal cases on violations of human rights committed in the execution of the National Programme of Reproductive Health and Family Planning, to identify and duly punish the perpetrators, requiring them to pay the appropriate civil damages, which applies as well to the State if it is determined to have some responsibility for the acts subject of the criminal proceedings.

2. Review the administrative proceedings initiated by the victims and/or their family members that are pending or have been concluded concerning denunciations of human rights violations.

b. Methods for monitoring and guaranteeing respect for human rights of health service clients

1. Adopt measures against those responsible for the deficient pre-surgery evaluation of women who undergo surgical sterilization, Although the rules of the Family Planning Programme require this evaluation, it is not being done.

2. Continuously conduct training courses for health personnel in reproductive rights, violence against women, domestic violence, human rights, and gender equity, in coordination with civil society organizations specialized in these topics.

3. Adopt the necessary administrative measures so that the rules established for ensuring respect for the right of informed consent are scrupulously followed by health personnel.

4. Guarantee that conditions at the centres that offer sterilization surgery meet the standards of the Family Planning Programme.

5. Take strict measures to ensure that the compulsory reflection period of 72 hours is faithfully and universally honoured.

6. Take drastic action against those responsible for forced sterilization without consent.

7. Implement a mechanism or channels for efficient and expeditious receipt and processing of denunciations of violations of human rights in the health establishments.

X.10.It should be noted that, in a note of 27 October 2003, the Inter-American Commission on Human Rights (IACHR) approved the terms of the Agreement for Friendly Settlement signed by the parties on August 26 2003 and issued Report No. 71/03.

X.11.Other cases, such as the proceedings against Enrique Guevara Ríos for assault with severe injury against Damiana Barrientos (Criminal Proceedings 255-00), continue before the courts.

Recommendation Z

> "The Committee requests the State party to include information and data in its next report on steps taken to prevent and combat trafficking in women and girls and the exploitation of prostitution, and on steps taken to protect and, where applicable, rehabilitate and reintegrate women and girls who are victims of these abuses. The Committee urges the State party to apply the laws prohibiting the exploitation of the prostitution of women."

Policies and plans

Z.1. The National Plan of Action for Children and Adolescents 2002-2010, approved by Supreme Degree 003-2002-PROMUDEH of 7 June 2002, establishes as one of its goals that of reducing the sexual exploitation of children, and to this end it proposes the respective strategic actions:

Goals

1. By 2010, to have reduced the sexual exploitation of children.

2. By 2005, to have legislation in place covering the sexual exploitation and trafficking of children, consistent with programmes of prevention, care and

rehabilitation of the victims, and the punishment of persons who sponsor child prostitution and pornography.

Strategic actions

1. Prevention, repression and/or rehabilitation of persons linked with or affected by child prostitution and pornography, and by the trafficking in children for sexual purposes.

2. Publication and legislation of rules punishing these crimes.

3. Coordination with tourism service providers to publicize means of protecting children against exploitation for sexual tourism.

Legislation and regulations

a) International

Z.2. Articles 24 and 25 of the United Nations Convention on the Rights of the Child (ratified by Peru in 1990) calls upon states parties to take all appropriate measures in this respect. Subsequently, Peru approved the Optional Protocol to this Convention, on the Sale of Children, Child Prostitution and Child Pornography.

Z.3. Our country has also assumed the international commitments established in the 1996 Stockholm Declaration and Agenda for Action and in the 2001 Yokohama Global Commitment, committing itself among other things to draw up a national plan against this serious scourge that affects children and adolescents.

Z.4. Peru has ratified ILO Convention 182 on the worst forms of child labour, which instrument includes trafficking for sexual exploitation.

b) National: proposed amendment to the Criminal Code

Z.5. The Ministry of Women and Social Development, through the DIGNNA (General Directorate for Children and Adolescents), has compiled the various draft bills presented to the Congress of the Republic and has proposed a further bill consolidating those initiatives. The consolidated bill would amend several articles of the Criminal Code to provide drastic punishment for commercial sexual exploitation of children and adolescents, in order to fill legal voids and update criminal definitions in light of technological advances. The main initiatives are:

- To bring the Criminal Code into Line with the Convention on the Rights of the Child (protection for children under the age of 18).
- To legislate on situations not covered by the current code, and eliminate legal voids.
- To consider the commission of the crime against minors between 14 and 18 years of age as an aggravating circumstance.
- To punish severely anyone who has involved minors of less than 14 years in sexual exploitation, with the severity of punishment varying with the age of the victim. Special criminal definitions have been prepared.

- To establish new crimes, including child prostitution and sexual exploitation of children for tourism, and to define complementary crimes, punishing the client and the intermediary as accomplices in prostitution.

Z.6. It should be noted that the legislative agenda for the 2003-2004 session of Congress includes the review of this bill (Legislative Resolution 009-2003-CR).

Building social networks

Z.7. One of the efforts that the Ministry of Women and Social Development (MIMDES) is making through its General Directorate for Children and Adolescents (DIGNNA) is to promote and construct social networks on various themes. In those networks the State and civil society together address problems affecting our children and adolescents, such as trafficking and sexual exploitation. An example is the National Network against Commercial Sexual Exploitation of Children and Adolescents, "Ahora!" (2003), which is coordinated by DIGNNA and consists of organizations dedicated to preventing and treating the problem, including national and international NGOs, international cooperation agencies, the State and other social network coordinators.

Z.8. The network's mission is defined in the following terms: to be "a national network consisting of public and private institutions and international cooperation agencies to address in a coordinated manner the problem of commercial sexual exploitation of children and adolescents, promoting policies and standards and taking concerted action to prevent and eradicate such activity, with full respect for the rights of children and adolescents".

Z.9. Since the network was created in 2000, it has participated in developing proposals for amendment to the Code of Children and Adolescents, relating to this issue, and in the consultations on the National Plan of Action for Children and Adolescents (PNAI) 2002-2010. This body, together with the Peruvian Network against Trafficking in Children and Adolescents, in which DIGNNA is also involved, is guiding efforts to meet the PNAI goals.

Strategic partnerships

Z.10. MIMDES has made contact with the organization ECPAT International ("End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes") to seek support for a national diagnostic analysis as the basis for preparing the National Plan against Commercial Sexual Exploitation of Children and Adolescents.

Measures to combat trafficking in women and girls

Z.11. The Attorney General's Office and the Office of the Prosecutor General have established two crime prevention offices (Fiscalías de Prevención del Delito) in Lima to work in the Community Services Area on the prevention of procuring and trafficking. Similar prosecution offices (Fiscalías de Prevención or Fiscalías Mixtas) have been set up throughout the country.

Z.12. On 17 September 2001 Legislative Resolution 27518 was passed, ratifying the Protocol to the Convention on the Rights of the Child concerning the Involvement

of Children in Armed Conflict, as well as the Protocol on the Sale of Children, Child Prostitution and Child Pornography, an international human rights instrument for the eradication of the sexual exploitation of children and adolescents.

Z.13. Peru also approved and ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, by means of Supreme Decree 078-2001 of the Ministry of Foreign Relations and the Legislative Resolution of 8 October 2001.

Activities

Z.14. Design and printing of a poster against the commercial sexual exploitation of children and adolescents, urging the general public to report cases of such exploitation. The National Programme against Family Violence and Sexual Abuse has a free hotline to receive complaints.

Z.15. The National Family Welfare Institute (INABIF) of the MIMDES intervenes directly in the protection of children and adolescents exposed to sexual trafficking and exploitation. The Service for Promotion of Adolescents, which sponsors the "Family Promotion Programme ", is targeted at adolescents between the ages of 13 and 17 whose families have been classified as multi-problematic. The service seeks to develop skills, attitudes and values among adolescents to help them develop a positive outlook for the future. It also works to strengthen academic performance, sponsors sporting, recreational and cultural activities, promotes social education, and provides food support.

Z.16. Under the direction of the Integral Protection Office, the Casa de la Mujer de Santa Rosa" women's shelter has taken in 69 adolescent mothers and pregnant teenagers who were abandoned and were living in extreme poverty and at social risk. Most of them were engaged in prostitution. These girls receive medical care, legal advice, social counselling, food, and training through educational workshops. The main objective of the service is to help these girls live a dignified life and to reintegrate them into their families, society, and the labour market.

Following are the expected results:

- To develop personal capacities and skills.
- To instil a humane and Christian spirit.
- To reincorporate the girls gradually into the school system.
- To re-establish their personal relationships with their family.
- To reintegrate them into society and the labour market.

Recommendation BB

"The Committee urges the State party to take measures to raise the minimum legal age for girls to contract matrimony in order to bring it into line with article 1 of the Convention on the Rights of the Child, which defines a child as anyone under the age of 18 years, and with article 16, paragraph 2, of the Convention on the Elimination of All Forms of Discrimination against Women. The Committee urges the State party to conduct awareness-raising

campaigns education of on the negative implications of early marriage for the health and girls."

Raising the minimum age

BB.1.Law 27201 of 14 November 1999 raised to 16 years the minimum age at which a girl may contract matrimony with judicial authorization. This rule also allows adolescent mothers and fathers over 14 years of age to recognize their offspring, to claim pregnancy and childbirth expenses, and to request maintenance or food support for their children. This law corrects the discriminatory legal provision that considered girls as ready to contract matrimony as a function of their reproductive capacity (14 years), and boys as a function of their capacity as providers (16 years).

Awareness campaigns on the negative implications of early marriage

BB.2.The National Plan of Action for Children and Adolescents 2002-2010 (PNAI) of the MIMDES has set four targets for reducing the rate of adolescent pregnancies (strategic objective 8):

- Reduction of the adolescent fertility rate by 30%.
- Reduction of the adolescent maternal mortality rate in marginal Andean and Amazonian areas by 55%.
- 70% of education centres to develop curriculum content on sex education, gender equity, prevention of high-risk sexual behaviour, prenatal care, and comprehensive care for children.
- No adolescent should abandon her studies because of pregnancy.

BB.3.In 1999 the Ministry of Education created the "Sex Education Programme". Its contents relate to sexual ethics, sexual identity, responsible sexuality, family abuse and violence, prevention of sexual abuse, sexual and reproductive health, preventing adolescent pregnancy, responsible paternity and a life plan, and sexually transmitted diseases and AIDS. Complementary activities have been pursued through the "Support for the National Sex Education Programme" supported by UNFPA, the contents of which cover the family, human sexuality, and responsible paternity.[19]

BB.4.The Ministry of Education has prepared and distributed the module on "Learning to Live in Democracy", which includes materials on the prevention of adolescent pregnancy. The Sector has also conducted prevention campaigns involving students, teaching and administrative personnel, and parents.

BB.5.The National Family Welfare Institute (INABIF) of the MIMDES provides help to adolescents with socioeconomic problems as part of its activities to develop skills, attitudes and values. The issues covered include the prevention of early pregnancy, drug abuse, and consorting with gangs.

[19] Report of the Ministry of Education: Actions taken to promote equality of opportunity between women and men. 20 June 2002.

BB.6.The Ministry of Health, in association with NGOs, has introduced comprehensive care services placing greater stress on promotional actions for raising public awareness about prevention.

Recommendation DD

> "The Committee requests the State party to set up programmes specially designed to reduce female illiteracy, in particular among women and girls in rural areas, and to keep girls in school."

Initiatives to reduce female illiteracy and to keep girls in school

DD.1.In 2001, the Rural Girls' Education Act was passed as an affirmative measure to create the conditions for promoting the education of women, girls and adolescents in the rural areas of our country. This goal is reflected in the National Plan of Action for Children and Adolescents 2002-2010 of the MIMDES, which has provided new impetus by establishing targets for rural girls' education to the year 2010.

DD.2.Interinstitutional monitoring of the law's fulfilment has been undertaken by the Network for the Advancement of Rural Girls, "Florecer", in which the MIMDES is involved, and which is coordinated by the National Network for the Advancement of Women. Florecer has 21 institutional members representing the State, civil society, the media, and international cooperation agencies:

1. Office of the First Lady
2. Ministry of Education
3. Ministry of Women and Social Development
4. Ministry of Health
5. Peruvian Agency for International Cooperation
6. Congress of the Republic: Committee on Education, Culture and Sports, and Committee on Women
7. National Education Council
8. Pontifical Catholic University of Peru, Faculty of Education
9. Foro Educativo ("Education Forum")
10. Institute of Peruvian Studies, IEP
11. National Network for the Advancement of Women
12. UNICEF, Peru
13. USAID, Peru
14. Save the Children, Canada
15. Save the Children, United Kingdom
16. National Pedagogical Institute of Monterrico
17. PROEDUCA GTZ (Basic Education Programme sponsored by the German cooperation agency)

18. CARE PERÚ

19. SUMBI (Urban Services for Low-income Women)

20. CIDE (Centre for Innovation and Development of the Catholic University of Peru)

21. GIN

22. Radio Programas del Perú

DD.3.The Florecer Network has had encouraging success, demonstrating the effectiveness of interinstitutional coordination, and the need to build partnerships between the State and civil society:

- It prepared the draft of the Rural Girls' Education Act, which was widely distributed to the media and finally became law in November 2001, as Law No. 27558.
- It promoted the creation of a Multisectoral Committee with participation by civil society to propose and design policies and activities for implementing Law 27558. The Committee was created in January 2003 by Supreme Degree 001-2003-ED.
- It participated actively in the National Consultations on Education, and prepared proposals based on the discussions held in the national forums.
- It sponsored two national conferences on rural girls' education, which disseminated studies and research, presented initiatives under way, and prepared proposals for policies and programmes to be implemented by the stakeholders involved. It also arranged a meeting for 55 girls from 10 departments of the country to dialogue directly with representatives of the National Accord on Education and with members of Congress from various political groupings.
- It produced and disseminated studies and diagnostic analyses dealing with ways of mobilizing local leaders, parents, teachers and girls.
- It has conducted campaigns through the mass media and has won new allies and sympathizers such as the deans of the education faculties and students preparing for the teaching profession.

DD.4.The Ministry of Education, with the support of CARE, nas developed the "Warmi Warmakunapa Yachaynin" project in the Regional Directorate of Ayacucho, designed to encourage the timely enrolment of girls in school. It also seeks to promote development of their social and emotional skills, and to foster social interaction in their mother tongue and in Spanish, to help lay the conditions for a successful primary education. In November 2002 the Sector began negotiations with the United Nations Children's Fund (UNICEF) to obtain technical and financial assistance for a comprehensive programme on "bringing teenage working girls into the education system".

DD.5.The INABIF, with the support of international cooperation agencies, is developing the Allin Tayta Multisectoral Programme (PMS Allin Tayta) to develop the resilience of boys and girls aged three to five through playgroups focused on personal, social, communicative and cognitive skills. It also seeks to involve Andean fathers in the raising of their young children. The programme is now active

in 60 communities in the departments of Ayacucho, Apurímac, and Huancavelica, working with 1,127 children, 666 families and 118 community leaders.

DD.6.The MIMDES has been coordinating activities with the Multisectoral Committee responsible for implementing the National Plan of Action for Children and Adolescents (PNAI) in order to fulfil the objectives relating to education for rural girls.

DD.7.Finally, in 2003 the Ministry of Education, in cooperation with UNICEF, conducted a special campaign, the Campaña de Matrícula Oportuna por el Derecho a la Educación, to encourage girls to enrol in school, to reduce their dropout rate, and to ensure that they progress through the grades at the appropriate age, so as to give full effect to their right to education.

Recommendation FF

> "The Committee requests the State party to design and implement comprehensive educational programmes and to urge the communications media to help modify cultural patterns of conduct in the publicizing and planning of entertainment in relation to women's and men's roles and responsibilities, in accordance with article 5 of the Convention. The Committee also recommends that policies should be developed and programmes implemented to ensure the elimination of stereotypes associated with traditional roles in the family, workplace, politics and society in general."

FF.1.The perspective of equal opportunity for women and men has been incorporated into the Basic Curriculum Structure for Primary Education and the Basic Curriculum Design for Secondary Education. In 2002, the Ministry of Education coordinated the preparation, printing and distribution of the module "Learning to Live in Democracy", one section of which deals with gender equity ("Promoting Gender Equity").

FF.2.Education materials have been designed to reflect the criteria of equity and equality of opportunity between men and women, and the country's multicultural diversity, according to the Ministry of Education in its 2002 report on actions to promote equal opportunity. The new curricula for primary and secondary education, incorporating the gender focus, have been distributed in 33,565 educational centres. Between 2000 and 2001, gender training was provided to teachers and administrative personnel in the Pedagogical Institutes and in the Teacher Training Colleges.

FF.3.The Ministry of Education's "Programa Nacional Huascarán" works with teaching materials that do not reflect stereotyped or discriminatory images of women. In addition, through the Office of Guidance and Integral Prevention and the School Ombudsman for Children and Adolescence Programme, with support from Save the Children-Sweden, an intensive training and awareness campaign is underway aimed at teachers serving as "school ombudsmen", in which "No Discrimination" is the central theme, in the context of intercultural sensitivity and the gender focus.

FF4.In 2001, the Ministry for Women and Social Development, through the General Directorate for the Advancement of Women, sponsored a study on gender representations in local television advertising. The results of this research were

published in the book "Estereotipos de Género en los Medios de Comunicación" ("Gender Stereotypes in the Communications Media").

Recommendation HH

> "The Committee recommends that the State party should strengthen the current programme and set up specific programmes for indigenous women in order to improve their economic, social and family situation and develop their economic skills, and to promote respect for their rights on an equal footing with men."

Mechanisms and indicators

HH.1.The issue of the rights of aboriginal people (native and/or indigenous people) has seen progress in Peru in recent years, in terms of legislation, territorial and cultural affairs, environmental protection, coordination of projects, and visibility and recognition for their complex problems and specific needs.

HH.2.The Ministry of Agriculture, working through bodies such as PRONAMACHCS, has a series of projects underway that are undoubtedly providing direct or indirect benefits to indigenous women. There are not sufficient data, however, to determine which of these activities are providing specific benefit to women in these communities.

HH.3.No indicators have yet been developed to measure or record activities that benefit indigenous women in a way that would distinguish them from rural women who are not necessarily members of native communities, nor is there any methodology to measure the scope of benefits that indigenous women as a group receive from projects in their communities.

Legislation and activities

HH.4.In 1993, Peru ratified ILO Convention 169 concerning Indigenous and Tribal Peoples in Independent Countries.

HH.5.The Office of the Public Defender, an independent constitutional body of nonjurisdictional nature created by the 1993 Constitution, has a Special Programme for Native Communities, which protects and promotes the collective rights of indigenous peoples in the Peruvian Amazon. The Public Defender's Office has a programme to defend and enforce respect for the human rights of indigenous Amazonian peoples of Peru, to help them overcome their situation of juridical vulnerability and social exclusion by promoting development of their own capacities for self-defence and dialogue, strengthening their culture, and ensuring recognition and respect for their special rights, on the part of the State and its employees. As an example of this vulnerability, there have been a number of complaints and requests for intervention submitted by the Office of the Public Defender against the Ministry of Agriculture, with respect to delays on the part of officials of the Regional Agrarian Directorates in recognizing the native communities of Selva and Ceja de Selva.

HH.6.The Technical Secretariat for Indigenous Affairs (SETAI) of the Ministry for the Advancement of Women (formerly PROMUDEH, now MIMDES) was dissolved

by Supreme Degree 012-2003-PCM, and its archives and resources were transferred to the National Council of Andean, Amazonian and Afro-Peruvian Peoples (CONAPA), created on 5 October 2001 by Supreme Degree 111-2001-PCM. The CONAPA, which falls under the PCM, issued a "Decalogue" on the rights of Peru's indigenous communities, which includes the provision of health care services that respect and take account of traditional medical practices, including childbirth.

HH.7.Under the transition government, a Special Multisectoral Committee for Native Communities was established, and a Roundtable for Dialogue and Cooperation with Native Communities of the Amazon was set up. A diagnostic analysis of the major problems has been conducted. The Roundtable has identified certain priority issues, but these do not refer specifically to indigenous women.

HH.8.The current government has sponsored and promoted meetings of national and South American indigenous people, which have declared the need to express the multiethnic and multicultural character of Peru.

HH.9.The Ministry of Agriculture, through the National Programme for Watershed Management and Soil Conservation (PRONAMACHCS), is pursuing a number of activities for the comprehensive advancement of rural women, recognizing that they lag behind because of many factors, including gender, economic capacity, and lack of property ownership.

HH.10.Micro-basin and Watershed Management Committees have been established, with active and coordinated participation by grassroots organizations, local authorities, and public and private institutions, designed to ensure proper management of natural and productive resources. Women are actively engaged in these committees. The intent is to democratize decision-making by including women in management positions and training them in management issues.

HH.11.The Ministry of Agriculture is working on regulations to the Agrarian Health Insurance Act for the benefit of rural men and women, as a means of improving their quality of life.

HH.12.With respect to rural women's property rights, the Agriculture Ministry's Special Land Titling Project (PETT) is providing legal security for female owners of rural properties, so that they can have access to formal credit. The PETT, in coordination with the National Registry of Identification and Civil Status (RENIEC) and with NGOs, is helping women who lack an identity document, something that is a prerequisite for securing property ownership and borrowing from the Peruvian credit system. A Multisectoral Committee has been established, with participation by the State and civil society, to promote alternatives for addressing this situation.

HH.13.The Ministry of Agriculture has produced indicators for measuring women's participation in extension projects. Through its Entrepreneurial Initiatives, it is promoting gender equity in the installation and management of productive modules, primarily with respect to crops, livestock, and industrial processing of local produce.

HH.14.The Programme to Promote Sustainable Development of Micro-Basins in the High Andes (PER-6240 of the Ministry of Agriculture) is now underway in the micro-basin of the departments of Ayacucho, Huancavelica and Apurimac. The project contains components on agricultural production, citizenship and civil rights, savings and microenterprise, and irrigation infrastructure. One of its objectives is to

increase women's participation in its activities and in the decision-making structure. The PRONAA, a strategic partner in the project, is pursuing efforts to promote savings and microenterprise development, and is also responsible for all aspects relating to food logistics.

HH.15.PRONAMACHCS and the MARENASS project of the Ministry of Agriculture have provided training in soil conservation, watershed and micro-basin management, forestry and production, and 30% of its beneficiaries are women.

HH.16.Through the FONDEBOSQUE (the Forest Development Fund), the Sector is promoting participation by indigenous women from native communities in natural resource management projects. Indigenous women are being encouraged to take over and run the projects.

Recommendation LL

> "The Committee requests the State party to provide information in its next periodic report on the situation of women belonging to minority groups, especially on the situation the women of African descent in terms of health, education and employment."

Afro-Peruvian women

LL.1.A study commissioned by MIMDES found that the following factors tend to impede and restrict the development and social inclusion of women of minority groups and in particular Afro-Peruvian women[20] , and to violate their rights:

- Dysfunctional family units, in which there is a constant lack of dialogue and communication with daughters, and rigid and hierarchical patterns of child raising that reinforce and deepen male-dominated gender relationships and confine Afro-Peruvian women to traditional roles that undermine their sense of identity and self-esteem.

- Poverty as a factor of exclusion that condemns Afro-Peruvian women to a daily struggle to survive without giving them a broader perspective, reinforces their economic dependency on males, keeps them permanently excluded from the labour market, and allows them only marginal employment in low-paid or traditional jobs, keeping them from seeking the education, training and qualifications that would give them opportunities for their personal development and social inclusion.

- Intolerance in the education system and the schools, which ignore and prevent recognition of the Afro-Peruvian community's contributions and reinforce authoritarianism and racism. Intolerance on the part of teachers and the school tends to homogenize and to deny social and cultural pluralism. Education is not serving to promote democratic interrelations nor is it geared to the needs of national development and social inclusion.

[20] Huapaya, Jose Luciano; Muñoz, Rocio. Research Report. Situación de la Mujer Afroperuana: Obstaculos que Vulneran, Limitan y/o Impiden el Ejercicio de sus Derechos. MIMDES.Lima 2001.

- Discrimination, racism and endoracism (i.e. discrimination within and between minority groups) reinforce existing exclusion and inequality, determining people's roles and possibilities of social participation by "race and colour". They encourage the subordination of Afro-Peruvians, and perpetuate negative stereotypes that undermine their identity and dignity.

Action on behalf of Afro-Peruvian women

LL.2.The Peruvian government is pursuing various initiatives, including roundtables, training workshops and other mechanisms that provide support and recognition, in order to eliminate the obstacles that restrict or impede minority women in the exercise of their rights.

LL.3.Actions on behalf of Afro-Peruvian women have included:

- The Afro-Peruvian Women's Roundtable, constituted by Ministerial Resolution of the MIMDES in July 2002, for the purpose of preparing management documents, a programme agenda, and a multisectoral mechanism. Twelve institutions of civil society are members of the Roundtable.

- There have also been promotional activities such as seminars and forums on public acceptance and consumption of black culture, racial stereotypes, and the language used in the media.

- A research project has been sponsored on "The Situation of Afro-Peruvian Women through History in the Political, Social, Economic and Cultural Fields".

Women in prison

LL.4.The General Directorate for the Advancement of Women within the MIMDES has been pursuing the following activities relating to women who have been confined to prison:

- As part of "Inmates' Day" (2001), there was a discussion group on government action concerning the situation of women in penitentiaries, intended to socialize the experiences of working in women's prisons. It was attended by 180 professionals from public and private institutions, universities, women's organizations, the catholic church, and MIMDES.

- Design and preparation of methodological guides and materials for holding three workshops with officials and women from three women's penitentiaries: Lima (Santa Mónica – Chorrillos), Huanuco and Trujillo.

- Training in gender issues and civil rights for women in three penitentiaries, in 2001.

- Training in gender, human rights and quality of service for social workers in three women's penitentiaries between October and November 2001.

- Publication of the results of the survey on assessments and perceptions in three penitentiaries (Trujillo, Huanuco and Lima, 2001).

Women with disabilities

LL.5.Through the National Council for the Integration of Persons with Disabilities, CONADIS, the MIMDES has pursued various activities:

- Regular working meetings with organizations working with disabled women in our country.
- "First meeting of women with disabilities", involving organizations and associations working with disabled women throughout Peru.
- Workshop seminar on the employment problems of women with disabilities and the prospects for integrating them into the regular labour market.
- Preparation and broadcasting of radio messages dealing with eradication of discrimination against women with disabilities, through the programme Sin Barreras ("No barriers").

Additional measures

LL.6.Other State agencies have pursued various activities:

- In 2002 the National Council of Indigenous, Amazonian and Afro-Peruvian Peoples was created under the Office of the President of the Council of Ministers, and is working hard to preserve the traditional cultures that are deeply rooted in Peru.
- "Registry of Firms that Promote Persons with Disabilities". Supreme Decree 001-2003-TR provides tax benefits for firms that observe a 30% quota for hiring employees with disabilities. According to the data from CONADIS, 70% of disabled people in Peru are women, and this rule will therefore mean significant progress in female employment.
- Contract between CONADIS and the National Engineering University to train men and women with disabilities in designing social investment projects, and in business administration.

Female domestic workers

LL.7.The Ministry of Women and Social Development has commissioned research on revising and reforming legislation on women's economic rights and on international instruments in this area. It also prepared an assessment of the problems facing female domestic workers in 2001, for which quantitative and qualitative information was compiled on economic, social and cultural aspects, with a gender focus. The report proposes standards and policy guidelines to improve living conditions for female domestic workers as well as key variables and indicators for measuring their situation. On 13 November 2003 the MIMDES and the Training Centre for Female Domestic Workers signed an agreement formalizing the Sector's commitment to provide services and training courses.

Part II

Articles of the Convention

Article 1. Definition of discrimination against women

> "For the purposes of the present Convention, the term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field."

Constitutional, legislative and administrative provisions

1. Peru has adopted significant legislative measures, including Law No. 27270 of 29 May 2000, which makes discrimination a crime:

"Anyone who discriminates against another person or group of persons, on the grounds of racial, ethnic, religious or sexual differences, will be sentenced to the provision of 30 to 60 days of service to the community, or to 20 to 70 days of daytime confinement on Saturdays, Sundays and holidays (Limitación de dias libres)", and if the offender is a public servant, the penalty is increased to "60 to 120 days of service to the community and disqualification for three years".

This legal provision amends Law No. 26772 of 17 April 1997, in which the definition of discrimination did not include preventing access to education centres.

It is now clearly established that:

"The offer of employment and access to educational training centres may not contain requirements that constitute discrimination, annulment or alteration of equality of opportunity or treatment." The Ministries of Labour and of Education have the administrative responsibility for supervision and enforcement of this rule. The Ministry of Labour has also issued regulations governing sanctions and parameters relating to discriminatory labour practices.

2. Another step forward in promoting equitable access to resources under equal conditions is the National Equal Opportunity Plan for Men and Women 2003-2010, which was put forward on the basis of consensus with civil society.

Currently it is being submitted to the Council of Ministers by the Ministry of Women and Social Development. In the meantime, the National Equal Opportunity Plan for Men and Women 2000-2005, approved by PROMUDEH Supreme Degree 001-2000, remains in force.

3. The project on the "Impact of sectoral policies on the status of women - UNFPA" will:

a) Provide a diagnostic analysis of the current and potential effects of public policies on equality of opportunity and gender equity.

b) Sensitize and train male and female public servants in the four branches of State for incorporating the gender perspective into the formulation, application and evaluation of policies, plans, programmes, and projects, and into their budgets.

4. Under the 11th Policy of the National Accord, the Congress of the Republic is debating the Equal Opportunity for Women and Men Act, which calls for creation of the National Council on Equal Opportunity, on which the branches of government will be represented. Under the leadership of the MIMDES, the Council will exert administrative and political oversight with respect to compliance with anti-discrimination rules, and will monitor and evaluate the National Equal Opportunity Plan for Women and Men. The MIMDES is participating in the debate of the congressional committees in order to incorporate and clarify the gender focus.

5. Law 27387 of 29 December 2000 amended the Elections Act (Law 26859), which for the first-time established a system of quotas (minimum 25% female candidates), raising that quota to 30%. The "gender quota" was applied for the first time to the lists of candidates for Congress in the general elections of 2000.

6. The Political Constitution of Peru was amended by Law 27680 of 7 March 2002 to include a special quota for gender representation in the rules on regional and municipal elections.

7. The Optional Protocol to the CEDAW, approved by Legislative Resolution 27429 (2001), is an important milestone in the elimination of discrimination against women, because there will be a supranational oversight body for complaints that are not settled at the national level.

8. The Rome Statute of the International Criminal Court, approved by Legislative Resolution 27517, establishes the gender concept and provides that rape, sexual slavery, enforced prostitution, forced sterilization or any other form of sexual violence are to be considered crimes against humanity.

Article 2. Legal measures against discrimination

"States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination."

9. The year 2000 was designated the "Year against Family Violence".

10. The Ministry of Health designed a System for Epidemiological Surveillance of Family Violence, to determine the characteristics and expressions of violence in the overall health of persons affected, primarily women, children and adolescents.

11. By Supreme Degree 008--2001-PROMUDEH of 25 April 2001, the National Programme against Family Violence and Sexual Abuse was created, under the Ministry for the Advancement of Women and Human Development (today the Ministry of Women and Social Development). It is intended to provide care, prevention and support mechanisms for persons affected by family violence and sexual abuse.

The programme has 38 "Women's Emergency Centres" (Centros Emergencia Mujer, CEMs), which provide specialized and free legal, psychological and social services throughout the country. The centres also sponsor prevention activities through their outreach programmes. This programme of affirmative action seeks to help eradicate violence in family relations. This year will see the launch of a pilot experiment in citizen surveillance over the functioning of these services and over the presence of family violence and sexual abuse in the community.

12. Supreme Decree No. 017-2001-PROMUDEH approved the National Plan against Violence toward Women for the period 2002-2007, with a multisectoral scope and perspective, within the context of the international commitments for the protection of human rights that the Peruvian State has assumed. It is a programming instrument that embraces government policies with the following strategic objectives:

a) To promote changes in social and cultural patterns that tolerate, legitimize or exacerbate violence against women, in its various manifestations.

b) To institute timely and effective mechanisms, instruments and procedures for prevention, protection, care, rehabilitation and compensation for female victims of violence, considering the country's varying cultural and geographic realities.

c) To establish a system that will provide accurate, up-to-date and high-quality information on the causes, consequences and frequency of violence against women.

d) To provide preferential treatment for women who are in a position of particular vulnerability, either because of their socioeconomic condition, their age, their ethnic status, a disability, or their status as migrants or displaced persons.

13. Law 27867, the Regional Governments Act of 18 November 2002, makes local government responsible for formulating policies, and for regulating, implementing, promoting, supervising and controlling efforts to prevent political, family and sexual violence (article 60: "Functions with respect to social development and equal opportunity").

14. Law 27637 of January 16, 2002 created the Temporary Shelters for Child Victims of Sexual Assault. Supreme Decree 003-2003-MIMDES of 24 March 2003 contains regulations to that Law, and establishes a system of shelters for children and adolescents who are the victims of sexual abuse. The shelters will provide them with protection, recognizing that sexual abuse and rape constitute a violation of human rights.

15. On 27 February 2003 the Prevention and Punishment of Sexual Harassment Act (Law 27942) was published, to prevent and punish sexual harassment that arises in relationships of authority or dependency. That law defines sexual harassment or blackmail as the repetition of any unwanted physical or verbal behaviour of a sexual nature by one or more persons, taking advantage of a position of authority or seniority or other status, against a person or persons who reject such behaviour as affecting their dignity and their basic rights. Regulations to the Law were approved by Supreme Decree 010-2003-MIMDES

16. Resolution 1821-2002-MP-FN of the Prosecutor General's Office of 20 October 2002 creates a Special Registry of Complaints of Sexual Assault and

Harassment of Schoolchildren in the Education Centres of the Ministry of Education.

17. Law 27982 amended the Single Consolidated Text of Law 26260, the Family Violence Act, eliminating conciliation proceedings before the provincial prosecutor in cases of family violence, on the grounds that such violence represents a violation of human rights that is not a matter for conciliation. Similarly, Law 27398 amends the Conciliation Act eliminating this extrajudicial mechanism in cases of family violence.

18. The Political Constitution of Peru. The proposed reform to the constitution includes special measures of affirmative action to eliminate all forms of discrimination.

Article 3. Mechanisms for the advancement of women

> "States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men."

19. The Peruvian State recognizes that the advancement of women requires planning and implementing short, medium and long-term development activities tailored to their specific needs and their diversity. In this context it has developed the following plans:

National Plan against Violence Towards Women 2002-2007, approved in July 2001. It is a programming document that focuses public policies for preventing and addressing violence against women in its many manifestations. The Ministry of Women and Social Development is implementing the National Programme against Family Violence and Sexual Abuse, in coordination with the other sectors involved. Its objective is to eradicate gender-based violence and to foster a culture of "zero tolerance" with respect to violence against women.

The National Plan of Action for Children and Adolescents 2002-2010, approved by Supreme Decree 003-2002-PROMUDEH. The general objectives of this programme are to create conditions favourable to the sustainable human development of children and adolescents throughout their lives, and to help overcome the poverty and extreme poverty that exist in our country. It seeks to have children and adolescents grow up as good citizens, within a democratic society that promotes a culture of rights. It is the framework document for actions, programmes and strategies that are to be adopted and implemented by the different sectors and institutions of the State and civil society to guarantee the human rights of Peruvian children and adolescents. Several aspects have to do with eradicating discrimination against women:

a) It seeks to eradicate violence against children and adolescents.

b) It promotes education for rural girls.

c) It sponsors programmes to prevent premature pregnancy and efforts to eradicate the sexual exploitation of children, which affects primarily girls.

The National Plan for Seniors 2002-2006, approved in July 2002 by Supreme Decree 005-2002-PROMUDEH, combines specific measures for older adults, in light of their conditions and gender needs, as part of a strategy for healthy aging. Its objectives are to improve the physical and psychological welfare of seniors; to promote solidarity with this social group by providing them with occupational training and opportunities; to increase their social and political participation and raise their educational and cultural levels, with priority to women.

The Equal Opportunity Plan for Persons with Disabilities 2003-2007, approved by Supreme Decree 009-2003-MIMDES, contains special measures for women and men with disabilities. It is multisectoral in nature, and has close links to networks in the public and private sectors. Groups representing women with disabilities participated in its preparation. Its general objective is to improve the quality of life for people with disabilities through prevention activities, preferential treatment, affirmative action, and the strengthening and expansion of existing services, making them more accessible, improving the quality, and extending their coverage.

The National Population Plan 1998-2002 makes the MIMDES the lead entity for the National Population Policy, and gives it responsibility for promoting, coordinating, directing, supervising and evaluating policies.

The MIMDES was responsible for formulating the National Population Plan for 2003-2010, which includes among its objectives:

a) Establishing a proper relationship between population and national development.

b) Guaranteeing that people can make a free and conscious decision about the number of children they will have.

c) Reducing maternal and child morbidity and mortality and improving the quality of life.

d) Improving the geographic distribution of population as a function of regional development and national security.

As with the plan for the previous period, this one is directly related with the elimination of all forms of discrimination against women, based on the following principles:

- "Every person has the right to the highest possible level of physical and mental health. The State will adopt appropriate measures to ensure, under conditions of equality between men and women, that there is universal and comprehensive access to medical services, including those relating to sexual and reproductive health, where its programmes will provide the broadest possible degree of service with no coercion of any kind."

- "The plan recognizes that Peruvian society is currently characterized by families of many types, and that within family life the responsibilities, obligations and rights of its members are defined in light of cultural standards, bloodlines, and individual attributes, including gender and age. In this respect, strengthening the family constitutes a policy of the State, starting from the recognition that the family is the basic unit of society."

- "The National Population Plan promotes equality of opportunity and gender equity, and recognizes the rights of women as an inalienable, integral and

indivisible part of universal human rights, and as a key element of the development process." This document is currently being revised and will be put to national consultations.

The following committees or roundtables have also been established:

- The Interinstitutional Roundtable of Indigenous Women, established within the MIMDES to propose policies for women of excluded ethnic minorities, from the perspective of equity and gender.
- The Multisectoral Committee on Rural Women's Development, which sponsors specific projects to help rural women exercise their civic rights and responsibilities.

Article 4. Affirmative action of a temporary nature

"1. Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.

2. Adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory. "

20. Creation of a body at the highest level with a specific mandate for women's affairs. As part of the reform and modernization of the State, the Ministry of Women and Social Development was created in July 2002 as the successor to the Ministry for the Advancement of Women and Human Development (PROMUDEH), created in 1996. Its mandate is to formulate, approve and supervise policies relating to women and development, and to promote gender equity and equal opportunity, primarily for women, seniors, children, adolescents, and other social groups that suffer from discrimination or exclusion.

21. The Committee on Women of the Congress of the Republic. This was created in 1997 and is continuing its work of formulating and evaluating legislative proposals referring to the advancement of women and the elimination of all forms of discrimination that could affect the realization of their human potential and capacities.

22. Creation of a body to prevent discrimination against female police officers. The Committee on Human Rights of Female Police Officers was created as part of the police reform by Ministerial Resolution 409-2002-IN of January 2002. One of its mandates is to promote equal opportunity without discrimination, an objective that is directly linked with establishment of the Police Ombudsman's Office (Defensoría de la Policía). It is significant that such a body has been established within the National Police of Peru, an institution that is of central importance for the elimination of discrimination.

23. The Deputy Defender for Women's Rights in the Office of the Public Defender. This was created in October 1996 as the Specialized Public Defender's Office, but in April 2001 its status was raised to that of a Deputy Defender's Office, which means

that it is no longer an advisory office but a line department. It pursues the same oversight functions as the Office of the Public Defender, but with specific attention to cases involving violation of women's human rights.

24. Intersectoral and interinstitutional bodies. There are a number of bodies for coordination and concerted action for promoting the rights of women:

- Tripartite Roundtable for Follow-up to the International Conference on Population and Development: monitors the Cairo Programme of Action.
- National Roundtable against Family Violence and Sexual Abuse: oversees compliance with the Family Violence Act.
- Roundtable of Afro-Peruvian Women: conducts studies and formulates proposals for laws and policies for the advancement of Afro-Peruvian women.
- National Committee of Andean, Amazonian and Afro-Peruvian Peoples (CONAPA), under the Office of the President of the Council of Ministers, is working hard to preserve the cultural traditions that are deeply rooted in Peru, and to improve living standards for members of these ethnic communities.
- Women's Roundtable for Dialogue.

25. Law No. 27402 of 20 January 2001 amended the law governing the right to pre- and post-natal maternity leave for working women (Law 26644). It provides that if childbirth occurs after the expected date, the days by which the birth is late will be counted as days of temporary disability for work, and paid as such.

26. On 23 December 2001, Law 27606 promulgated the Act Extending Postnatal Maternity Leave in the Case of Multiple Births, extending it by an additional 30 days. This means that a woman who gives birth to more than two children at once has additional leave time in recognition of the specialized care and treatment required.

27. Law 27403 of 20 January 2001 establishes that the daily one-hour leave for breast-feeding, referred to in Law 27240, is considered as an hour effectively worked, for all legal purposes, including entitlement to the corresponding wage. This measure is intended to eliminate discrimination in pay and employment, by reason of maternity.

28. In December 2001, Law 27591 made the duration of breast-feeding leave for the working mother the same under both the private and public labour regimes (one hour per day). This measure is intended to equalize maternity conditions among all working mothers. It also provides that working mothers have the right to this one-hour breast-feeding time until the child reaches one year of age. The previous rules provided for such leave only to six months of age.

29. Law 27408 of 24 January 2001 provides that places providing health care to the public must give preference to pregnant women, children, older adults and the disabled. It also requires services and establishments that are open to the public, whether State or private, to adopt measures to facilitate use or adequate access for these groups.

30. Through Law 27409 of 25 January 2001 the National Congress granted workers 30 days' employment leave for adoption, counted from the day following issuance of the administrative resolution of family placement and signing of the

respective document certifying delivery of the child. If the adoption applicants are married, the leave is taken by the woman. Unjustified refusal by the employer to grant the corresponding leave will be considered as a hostile act equivalent to dismissal.

31. Law 27911 of 8 January 2003 includes special administrative sanctions for teachers or administrative personnel who commit crimes of violation of sexual freedom. Its regulations, approved by Supreme Decree 005-2003-ED, create a registry of sanctioned teachers and administrators, allowing for their dismissal in case of a final or accepted judgment.

32. The Regional Government Act, Law 27867 of 18 November 2002, provides (article 60) that regional governments have the function, in relation to social development and equal opportunity, "to coordinate the execution by local governments of sectoral policies and the functioning of poverty reduction and social development programmes of the State, with emphasis on the quality of services, equal opportunity and gender equity, and strengthening the regional economy".

33. Law 27911 of 8 November 2003 and its regulations in Supreme Decree 005-2003-ED of 14 February 2003 created the registry of sanctioned teachers and administrators, providing for their dismissal in case of a final or accepted judgment. If administrative or criminal charges are involved, those persons may be suspended from their function for the course of the investigation.

34. Ministerial Resolution 455-2002-SA/DM of 5 August 2001 approves "Rules and Procedures for the Prevention and Treatment of Family Violence and Child Abuse".

35. Resolution 1821-2002-MP-FN of the Prosecutor General's Office, dated 20 October 2002, creates within the Prosecutor General Office the Special Registry of Complaints of Sexual Assault and Harassment of schoolchildren in the educational centres of the Ministry of Education.

36. Municipalities have made progress in establishing rules on equity for women. The Council of the Provincial Municipality of Lima has approved creation of the Women's Committee and a project on Equity for Women. Similar measures have been adopted in other municipalities, including Miraflores and Jesús María in Lima.

The Provincial Municipality of Callao, by means of Mayoral Decree 00014 of 24 July 2000, has established the entitlement of male white- and blue-collar workers to three working days' paid paternity leave, starting on the day of the birth of a child. This local measure not only recognizes men's paternity rights, which are often downplayed or ignored, especially in the workplace, but also helps to redistribute family duties in a manner consistent with shared responsibility.

At the provincial level there have also been initiatives to apply the gender focus:

37. Ilo Municipal Council By-law 29-2002-MPI (26/11/02) provides that gender is to be considered in all aspects of the Land-use Plan of the Province of Ilo, reserving specific spaces for women, children, the elderly, etc.

38. Ilo Municipal Council By-law 32-2002-MPI (23/12/02) calls for policies to control and treat family violence in the province of Ilo, to be incorporated into the Municipal Operations Plan and Budget for 2003.

39. Ilo Municipal Council By-law 33-2002-MPI (19/12/02) stipulates that the 2003 budget must consider an item to provide training courses in gender equity.

40. Municipal Ordinance 001-2003 MDM-A, Morropón (25/12/03) provides that women must hold between 30% and 40% of senior positions in neighbourhood, social, cultural and other district organizations.

41 Morropón Municipal Council By-law 001/2003/MDM (31/03/03) calls for policies to control and treat family violence to be incorporated into the Municipal Operations Plan and Budget for 2003.

Article 5. Social and cultural patterns and discrimination

"States Parties shall take all appropriate measures:

a) To modify the social and cultural patterns of conduct of men and women."

42. Education Sector. Since 2002 the concept of gender equity and equal rights and opportunities has been incorporated as a crosscutting issue in the curricula at all levels of education. Law 27441, the Education Policy with Respect to Human Rights Act, approved by Congress on 9 May 2002, approved a national plan of outreach and instruction. It lays the basis for incorporating a human rights focus across-the-board in education plans at all levels.

43. The Ministry of Education is also sponsoring campaigns to generate a culture of gender equity, and to strengthen and popularize coeducation as the ideal model for a harmonious social life with gender equity.

44. The Education Sector is sponsoring efforts to foster a culture of tolerance, respect and promotion for equal opportunity in the various educational communities, comprising the student body, teaching staff, administrative personnel, and parents:

a) Publicity campaigns and "women's rights days".

b) Campaigns to prevent premature pregnancy.

c) Campaigns for healthy pregnancy.

d) Campaigns to prevent sexually transmitted diseases and HIV/AIDS.

e) Campaigns to encourage postponement of initial sexual relations among adolescents.

f) Festivals marking International Women's Day.

g) Special events highlighting the need to protect and promote women's human rights, with the emphasis on the principle of nondiscrimination.

45. The National Family Welfare Institute of the Ministry of Women and Social Development (INABIF-MIMDES) represents an effort to promote tolerant and mutually supportive relations between men and women. In 2002 INABIF held public training workshops and information campaigns with the following quantifiable results:

- 1,317 fathers and mothers trained in the rights of children and adolescents.
- 17 campaigns on gender equity throughout the country.

- 1,100 male and female adults participated in workshops on women's human rights.

- 4,400 children and adolescents participated in workshops on strengthening self-esteem and social skills.

- 1,400 adults participated in workshops on "equity in household responsibilities".

- 36 awareness marches were organized for International Day for the Elimination of Violence against Women.

- 28 family promotion campaigns were held in extremely poor areas, intended to promote healthy family relationships, prevent family violence, and publicize human rights. 12,900 people participated.

- Project on "Strengthening Functional Relations in Families at Social Risk", intended to train male and female social workers for preventing and eradicating family violence in their respective localities.

46. The MIMDES Wawa Wasi Programme seeks to promote development free of gender stereotypes. In 2002, a total of 36,381 children between six months and three years of age attended Wawa Wasi centres where they were offered an environment that fosters child learning without discrimination and that takes account of the importance of personality formation and instilling values in early childhood.

47. The MIMDES Programme to Support the Resettlement and Development of Emergency Zones (PAR) is sponsoring social projects that address the particular impact that political violence has had on women and that will help eliminate prejudices and practices based on notions of inferiority and superiority of one or another group in the affected zones. Those projects are:

- Social Promotion for Adolescent and Youth involved with Gangs. This project helps youth to see themselves as responsible for their own personal and social development, and to act in an independent and mutually supportive way without any type of discrimination.

- Family Welfare and Community Reconstruction Project. The project seeks to promote the kind of self-reliance that will help people overcome the psychological trauma suffered from the years of political violence and improve the quality of life for those affected. It promotes healthy lifestyles that are balanced and fully satisfying, while maintaining equitable interpersonal, group and community relations.

- Local Institutions Reconstruction Project. This project seeks to rebuild the social fabric, to strengthen and establish cooperation between organizations of people affected by political violence (peasant and native communities) and private and public institutions, and to provide training in democratic leadership for men and women.

48. Ministry of Transportation and Communications. During 2002, the Ministry coordinated implementation of the Community Communications Support Project, designed to help with the dissemination of educational and cultural programmes and to overcome the isolation of rural communities: 669 native communities and settlements have benefited. As well, 618 low-power television broadcasting systems have been built and 51 satellite television receivers installed.

49. Since 1992 the Ministry of Transportation and Communication, with a mandate from the Peruvian Government, has had a representative on the Working Group on Gender Issues of the International Telecommunications Union (ITU). That group seeks to facilitate, coordinate and implement a range of activities to ensure that the benefits of telecommunications and the new information society reach all men and women in developing countries on a fair and equitable basis.

50. Peru attended the meeting of the Working Group on Gender Issues held in Geneva, 12 to 14 June 2002, which included the following among its conclusions:

- To disseminate the work on integrating the gender perspective into telecommunications policy and to adopt a plan to meet the needs of specific countries.
- To develop a database on the best practices regarding gender policies and to request regulators to appoint a focal point on gender issues.
- To include the gender perspective in human capacity building activities.
- To establish synergies with all other stakeholders.
- To compile statistics for annual reports on gender integration in policies.
- To facilitate the extension of information and communication technologies to all social groups.

In light of these conclusions, the Transport and Communications Sector is sponsoring a meeting with stakeholders to address the issue from the point of view of the accessibility and contents of these technologies.

51. National Food Aid Programme (PRONAA). This decentralized public agency of the Ministry of Women and Social Development has for several years been sponsoring activities throughout the country to commemorate International Women's Day in order to foster within the national culture a respect for women and their role in society, to promote the gender focus and equal opportunity, and to eliminate sexist prejudices and practices on the part of men, especially where there is active and organized involvement by local people.

52. Ministry of Justice. Through the National Human Rights Council, the Ministry of Justice is sponsoring training workshops in human rights and eliminating family violence and sexual abuse. Three such workshops were held in 2002, involving the authorities, social leaders, students and the general public, in Sicuani, Cusco, Arequipa, San Mateo de Huanchor and Huarochiri. The following events deserve mention:

- Meeting of grassroots social organizations (committees for the Milk for Children (Vaso de Leche) and Community Kitchens Programme (on 13 June 2002), which provided information on human rights, self-esteem, leadership and gender.
- Workshop on "Human Rights and Mental Health: Post-Traumatic Stress in Victims of Terrorist Violence", for staff of the Resettlement Support Programmes, with a view to providing proper psychological assistance to the victims of the violence during the 1980s and 1990s. Participants numbered 1,040, of whom 600 were women.

Between January and September 2003 the National Human Rights Council held five training workshops on the issue of Human Rights and Combating Family Violence and Sexual Abuse. Steps were taken to ensure equal representation of men and women in the workshops.

53. Activities by the National Human Rights Council of the Ministry of Justice to change cultural patterns have included the publication of teaching materials such as:

- "Basic Documents Pertaining to Human Rights in the Inter-American System". This includes the major international instruments such as the American Declaration on the Rights and Duties of Man and its additional protocols, the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, and the rules of procedure of the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights. The first printing of this material was made possible with the support of the Peru-France Counterpart Fund. A second printing was funded by the Ministry.

- "International Instruments on Human Rights". The updated version includes 16 instruments of the Universal System for the Protection of Human Rights, approved to July 1998.

- "What are Human Rights?", a brochure published in Spanish and in Quechua summarizing the concept and the importance of human rights, and identifying those who are bound to respect them, and where to turn for help in cases of violation. Popular edition.

- "Human Rights: a Compilation of International Instruments ". International covenants and conventions to which Peru is party, within the universal and inter-American systems for the protection of human rights. This innovative publication presents the most important legal instruments within the ambits of the United Nations and the Organization of American States, highlighting among others the recent Rome Statute of the International Criminal Court. The first printing was financed by the Peru-France Counterpart Fund.

- "Report of the Commission on Pardons, the Right of Clemency, and Commutation of Sentences for Cases of Terrorism and Treason" (the Law 27234 Commission). Updated information to July 2001 of the work of this commission, evaluating applications for pardon and commutation of sentences: statistics, emergency penal legislation.

- "How to obtain presidential clemency, pardon or commutation of sentence". A brochure with information on the conditions and requirements that a convicted person must meet in order to benefit from presidential clemency, pardon or commutation of sentence. Includes information on pardons of persons convicted of terrorism.

54. The Technical Secretariat for Conciliation of the Ministry of Justice conducts campaigns among low-income groups, targeted primarily at women, to publicize the extrajudicial conciliation mechanism and to ensure that women are able to assert their rights when they are violated. It has held conferences on conciliation and the culture of peace, conciliation and human rights, conciliation and family conflicts, exclusively for women.

55. The Ministry of Agriculture, with financing from the Embassy of the Netherlands, signed a service contract in 2002 between the National Institute of Natural Resources (INRENA) and the NGO "CENTRO" to incorporate the gender focus into the institution, starting with a comprehensive analysis of male-female relations in connection with natural resource development activities. Seven workshops were held, three of them in Piura, Pucallpa and Cusco. They were attended by a total of 200 persons, representing the different Technical and Administrative Directorates of INRENA, including the Deconcentrated Organic Units, the Forestry and Wildlife Administrations, the Protected Natural Areas and the Technical Administration of the Irrigation Districts unit and the Algarrobo (Carob) project.

Article 6. Suppressing trafficking in women and sexual exploitation

> "States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women."

Legal measures

56. On 17 September 2001 Peru approved the Optional Protocols to the Convention on the Rights of the Child concerning the Involvement of Children in Armed Conflict, and concerning the Sale of Children, Child Prostitution and Child Pornography. They were ratified by Supreme Decree 078-2001-RE of 6 October 2001. They represent an important step forward in Peru's efforts to eradicate all types of discriminatory and degrading treatment of children and adolescents.

57. Approval and ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, by means of Legislative Resolution 25527 of 8 October 2001 and Supreme Decree 078-2001-RE, respectively. Peru intends to close the legal circle for eradicating the trafficking and sexual exploitation of girls.

58. The General Directorate of Children and Adolescents of the Ministry of Women and Social Development in 2003 submitted to the Women's Committee of Congress a draft bill on Sexual Exploitation that covers all forms of trafficking in children and adolescents, sexual tourism, child pornography on the Internet, new crimes under the Criminal Code, and the corresponding penalties, depending on the status of the violator. The Committee is now considering its report.

Protection and rehabilitation

59. In 2003 the Ahora! network against child trafficking and sexual exploitation was created, with participation by MIMDES, represented by the General Directorate for Children and Adolescents. The network also includes institution such as the NGO Acción por los Niños ("Action for Children") and international agencies such as the ILO and Save the Children.

60. The Family Welfare Institute of the Ministry of Women and Social Development (INABIF-MIMDES) has established the Casa de la Mujer de Santa

Rosa women's shelter that provides care for 49 adolescent girls who have been victims of sexual exploitation or prostitution. During 2002 it provided a home, food, training workshops, social and psychological counselling, academic support, and occupational education and placement.

61. As part of its efforts to prevent the sexual exploitation of children, the INABIF succeeded in 2002 in arranging the social and family reintegration of 2,784 girls who were living in the street or working, provided care for 1,131 girls in various shelters around the country, and it helped 4,380 girls through its Family Promotion Programme.

62. Law 27637 created the Temporary Shelters for Child Victims of Sexual Assault for the protection of children and adolescents who have been victims of rape and who have no family support through which they might escape the risk of recurrence or recover from their psychological trauma. Supreme Decree 003-2003-MIMDES makes the Ministry of Women and Social Development responsible for establishing those shelters. The needed premises are to be provided by the Commission for Administration of Seized and Decommissioned Properties (COMABID). The shelters are currently being implemented in coordination with the Temporary Shelters for Female Rape Victims under the National Programme against Family Violence and Sexual Abuse (22 shelters). The Regulations for the latter shelters are now in the process of preparation.

Article 7. Participation in political and public life

> "States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:
>
> a) To vote and to be eligible for election."

63. In 2000 the Provisional Identity Registry Programme (RPI) was completed, with financing from the United Nations Development Programme (UNDP) and the National Treasury, for delivering identity papers to undocumented men and women from the zones of violence. The programme ran for three years (1998, 1999, and 2000) and delivered 300,796 national identity documents to women, and 286,016 to men. This programme provided excluded people (mainly women) with a National Identity Document (DNI), thereby giving them the ability to exercise their civil rights.

64. During 2003 the Ministry of Women and Social Development, RENIEC and the Flora Tristan Centre implemented the "Civil Rights Campaign for Rural Women of Arequipa, Cajamarca and Piura", to inform the authorities and the community about the importance of having rural women exercise their civil rights, and to have the public recognize the disadvantage that the lack of the DNI represents for a great percentage of rural women.

65. In preparation for the regional and municipal elections of 2002, the National Electoral Procedures Office, working with five nongovernmental organizations, conducted a project to encourage voting by women living in rural areas and in poor urban neighbourhoods of Metropolitan Lima. Training was provided for a total of 370,272 women in aspects relating to electoral mechanisms, and the importance of informed voting and citizenship. As a result, the voter abstention rate in the rural

target zones was reduced by five percentage points (an improvement greater than that at the national level) compared to the municipal elections of 1998, thereby laying the basis for progressive and active participation by women in public life.

Local affairs

66. At the municipal level, there has been initiatives to encourage women to participate in neighbourhood organizations. The Provincial Municipality of Callao adopted Municipal Ordinance 02 of 6 March 2001, setting a 30% quota for women on neighbourhood boards, electoral committees, and public works commissions. This initiative reflects the commitment on the part of the authorities and of women to achieving gender equity and women's empowerment and to instil in communities the notion of shared responsibility for public affairs.

67. Women's movements and NGOs such as Manuela Ramos, Flora Tristan, INCAFAM (the Training Centre for Families and Women), the National Network for the Advancement of Women, and the Micaela Bastidas Centre have encouraged the presence of women at the decision-making level through training programmes, and through support for the work of female municipal councillors. These efforts have forged links between women's movements, NGOs and women holding political office. Channels of communication and cooperation have been established through which the women of civil society can make their demands heard. Civil society organizations have in this way contributed to fulfilling Peru's international commitments and policies.

Political participation

68. Law 27387 of 29 December 2000, amending Law 26859, the Elections Act, establishes a minimum proportion of 30% for the number of women or of men who must be included in the lists of candidates for Congress. This measure has produced significant results in promoting women's representation in politics. It is being applied systematically, and the drive will end only when parity is achieved in the lists. For the 2001-2006 term, the proportion of females elected to Congress was 18%.

69. Within the Executive Branch, the election of a woman as President of the Council of Ministers constitutes a significant step forward and a clear demonstration of the active role that women are playing in national politics.

70. The Prosecutor General's Office is responsible for appointing prosecutors and judges at the highest level. There is a high concentration of female prosecutors in sections dealing with family law matters, and many family court judges are women. Their presence symbolically reinforces the typically feminine patterns and roles of social protection and sensitivity, and gives them professional functions that constitute an extension of the caring role already assigned them in family life.

71. The Ministry of Women and Social Development is responsible for policies and activities to promote women's participation in decision-making, and for establishing the course of action for its various offices. Its authority derives from Law 27779, and from Law 27793 amending it. It also has a General Directorate for the Advancement of Women that provides technical and policy guidance towards this goal.

72. The Political Constitution of Peru was amended by Law 27680 of 7 March 2002 to include rules governing regional elections. Those rules include a special gender representation quota that was applied for the first time in the elections scheduled for November 2002. As a result, women account for 12% of Regional Presidents, 16% of Vice-Presidents, and 22.3% of Region al Councillors.

73. The Constitutional Committee of Congress has reported favourably on the draft Political Parties Act, which establishes a 30% gender quota in lists for popularly elected office and party leaderships.

74. The Ministry of Women and Social Development, through the National Office for Grassroots Cooperation, has received support from the Antipoverty Roundtables, decision-making forums in which State institutions and local governments participate along with civil society organizations, the churches and international cooperation, in order to reach consensus on the most transparent, fair and efficient ways of combating poverty in Peru. The Roundtables were created on 18 January 2001 by Supreme Decree 01-2001-PROMUDEH. In July of that year, Supreme Decree 014-2001-PROMUDEH amended and supplemented the previous decree.

75. The Antipoverty Roundtables represents a new forum in which women's expectations and activism can express themselves. They benefited 22,538 persons directly (from January to December 2002), 60% of whom were women representing public organizations, NGOs and social organizations, which contributed actively to setting up 165 roundtables nationwide during 2002.

76. The municipalities have sponsored initiatives to promote women's participation in neighbourhood organizations. By Municipal Ordinance 00-002 of 6 March 2001, the Provincial Municipality of Callao established a minimum gender quota of 30% in neighbourhood boards, electoral committees, and public works commissions. Various NGOs have been supporting the work of municipal councilwomen in various areas of Peru.

77. The National Office for Grassroots Cooperation (COOPOP) of MIMDES, through its 31 operating units, carried out a strategy during 2002 aimed primarily at awareness-aising with a focus on rural and urban areas that show high indices of poverty and extreme poverty. In September 2002, COOPOP launched a special programme emphasizing citizen participation and oversight, reaching 31,866 persons directly, and 191,196 persons indirectly, through citizen participation and oversight workshops, and campaigns dealing with communication and institutional image, full citizenship and political neutrality, among other activities.

78. Law 27731 of 1 May 2002 and its regulations (Supreme Decree 006-2003-MIMDES of 12 April 2003) govern the participation of mothers' clubs and independent community kitchens in managing and overseeing food aid programmes. These organizations have thereby been strengthened and their services have been improved, as has citizen surveillance of government food aid programmes. The regulations to the Community Kitchens Act guarantee participation by women's organizations in government food programmes at the various levels: municipal, regional and national. They also provide a mechanism for national co-management of the National Food Aid Programme (PRONAA).

79. The Ministry of Women and Social Development, through its Programme to Support the Resettlement and Development of Emergency Zones (PAR), is sponsoring social projects to address the impact that political violence has had on

women, and to prepare them to take the lead in developing their communities by participating actively in public and decision-making forums. It has trained 5,625 women leaders in community development. Since 2003, the issue of women's participation has been incorporated into projects for Reconstruction of Democratic Institutions and Promotion of Human Rights. Training modules have also been implemented for leaders of both sexes (including 8,798 women) who will participate in their community's public life and decision-making.

Article 8. International representation

> "States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations."

Representation of the State

80. The Ministry of Foreign Relations of the Republic of Peru, through its diplomatic and administrative services, is the entity responsible for the country's interests in relation to the international community and international agencies. Diplomatic officials represent the government internationally and must participate also in the work of national bodies.

81. Data from the Ministry of Foreign Relations show that during 2000 there were five women among the 25 candidates selected for the position of third secretary in the diplomatic service; in 2001, 13 of the 25 candidates were women, while in 2002 six of 19 candidates were women, and in 2003 six of 21 successful candidates for this position were women. Currently, 123 of the country's 610 diplomatic officers are women.

82. As of May 2003, among women at different levels of the diplomatic service, there were 12 female ambassadors, representing 11% of all ambassadors, and women accounted for 22% of total diplomatic personnel (see Table 10 in the Annexes). Among the most important positions in the Ministry of Foreign Relations that are held by women of ambassadorial rank female are:

- Undersecretary for Asian and Pacific Basin Affairs.
- Undersecretary for Economic Affairs and International Economic Negotiations.
- Director of Political, Multilateral and Security Affairs.
- National Director of Sovereignty and Boundaries.

83. Members of the Administrative Service of the Ministry of Foreign Relations constitute the Public Career and Support Corps for the Diplomatic Service. In May 2003 there were 295 such employees, of whom 138, or 46.7%, were women.

Incentive measures

84. The Ministry of Foreign Relations promotes training and professional development for its members, both diplomatic and administrative, without distinction as to gender. In the case of diplomatic officers, Supreme Decree 002-

2003-RE provides that all male and female officers of the diplomatic service have an equal right to education grants, and requires the Ministry to distribute such funding accordingly. Personnel are promoted on the basis of an objective evaluation of their professional performance, without any discriminatory considerations of any kind.

85. In terms of salary policy, the Ministry makes no distinction by gender, and this applies as well to women's reproductive functions. There is also gender equality in the provision of social and health services. Working conditions in the Ministry are suitable and equitable. There is no segregation in occupations and positions, and women are encouraged to participate in specialized work. There is no racial, social or economic discrimination.

86. The Foreign Ministry, through its Directorate of Social and Special Affairs, established in 1998 as the Office of Women's Affairs, conducts our country's relations with the United Nations system and the Organization of American States as they relate to defending the rights of women and children, and other areas of social importance.

Article 9. Nationality of women

> "1. States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.
>
> 2. States Parties shall grant women equal rights with men with respect to the nationality of their children."

87. The Political Constitution of Peru, in articles 52 and 53, establishes that Peruvian nationality cannot be lost unless it is expressly renounced before Peruvian authorities. Law 26574, the Nationality Act, guarantees the requirements contained in article 9 of the Convention.

88. The issue of women's nationality bears directly on the registry of women in Peru. A fairly constant portion of women are not registered, i.e. they have no identity document, and therefore they do not have a formal name and nationality. In this respect, the right to identity requires affirmative action to encourage and facilitate documentation for women, especially for those disadvantaged by poverty, rural isolation, or disabilities, etc.

89. In 2003 a Civil Rights Campaign for Rural Women was launched, coordinated by MIMDES and the Flora Tristan Centre, to give rural women of Arequipa, Cajamarca and Piura access to the National Identity Document.

90. The Ministry of Foreign Relations and the Ministry of Women and Social Development are coordinating their planning of activities to help girls and women displaced from Colombia by the internal war in that country.

Article 10. Women's education

> "States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men

in the field of education and in particular to ensure, on a basis of equality of men and women, ... access to studies."

91. Law 27558, the Rural Girls' Education Act, promulgated on 22 November 2001, is an important measure for eliminating discrimination against women, and is designed to achieve equity in education. Its provisions include the following:

- Rural schools must practice equity and must abolish practices that discriminate against girls by reason of race, age, or inadequate command of the official language.
- Girls must be provided with timely instruction concerning the changes involved in puberty and the meaning and value of those changes in terms of female development.
- There must be a climate of equity for all students, and the personalized and respectful treatment of girls by teachers must become standard and daily practice.

The law includes economic incentives from the national budget for teachers who make special efforts to promote education for girls.

92. Promulgation of the Rural Girls' Education Act referred to in the previous paragraph was due to the actions of the Florecer network for girls' education, which pools the efforts of public and private sector institutions, international cooperation and civil society within a broad framework of equity in access to education and its quality, for all children and adolescents. The network was created in 1998. PROMUDEH, today MIMDES, is a member of that network, as are the Ministries of Education and Health, among others.

93. As part of that network's efforts, the "First National Conference on Education for Rural Girls" was held in Lima from 22 to 23 June 1999, and was attended by 350 representatives of government, civil society, and international cooperation, 115 from Lima and 235 from the country's 15 departments.

94. The "Second National Conference on Rural Girls' Education" was held on 28 and 29 September 2000, attended by 127 persons from Lima and 230 from the interior. Among the network's activities we may sight:

Preparing and submitting to Congress the Rural Girls' Education Act.

- Active participation in the National Education Consultations, preparing proposals resulting from discussions and considerations in national forums.
- Diagnostic analysis of the educational status of girls, a proposed agenda for action and a study on communication and integration of rural girls.
- Publication of periodic newsletters that provide information and raise awareness about issues relating to rural girls' education and the activities of the network.
- A media campaign designed to increase public awareness of the importance of timely and high-quality education for rural girls. That campaign did not have the expected impact, but it did mark the beginning of a broader effort.
- Between 3 and 4 May 2001 the National Meeting on Rural Girls' Education was held in Lima, attended by 168 people of whom 55 were girls from 10

departments of Peru, 26 were parents, and 87 were civil society leaders and government representatives.

95. The government has declared the five-year period 2002-2006 the "Rural Education Quinquennium", and has given priority to public funding for the Sector. This means the allocation of resources and joint efforts of the MIMDES, the Ministry of Health and the Ministry of Education. Gender equity and rural education, as well as rural girls' participation in education, are included among the government's social policy priorities.

96. An important step in creating conditions for full implementation and effectiveness of the Rural Girls' Education Act was establishment of the Multisectoral Committee for Rural Girls' Education by Supreme Degree 001-2003-ED, which will allow for progress in implementing the law through an established work programme, thereby laying the basis for moving from declarations to action.

97. The project known as "Punkunkunata Kichaspa: Opening the Doors to Education for Rural Girls", which ran from October 1999 to September 2003, was undertaken to respond to the situation of educational exclusion that afflicts thousands of girls in Peru. It was conducted in the Southern Andean Region of Peru, and involved coordinated activities of various government programmes with broad community participation.

98. The National System of Continuing Teacher Training succeeded in 2002 in training 22,461 female teachers, together with their male colleagues, in various parts of the country, and they will now be promoting access for girls to programmes of study.

99. Recruitment of female military personnel. The Ministry of Defence is drawing up an admission system that establishes rules of impartiality and nondiscrimination. This involves competition for military training schools and admission according to the needs of the service. To help female recruits adjust to the Armed Forces Institutes, special measures have been established for their integration: for example all commanders of training schools or units have been ordered to provide suitable facilities for meeting the needs of female military personnel. Women will share the same classrooms, offices and activities spaces, except for housing. Article 57 of Legislative Decree 21148 provides, as an affirmative measure, for "separate lists of vacancies for male and female military and service officers and personnel with officer rank in all units, in accordance with organizational needs, the provisions of articles 55 to 65 of Legislative Decree No. 752, Military Status Act, and the number of male and female officer candidates at each grade".

100. The Ministry of Women and Social Development, through its National Wawa Wasi Programme, facilitates women's access to study programmes, as can be appreciated from the following data:

> Women with aptitudes for the care of children between six months and three years of age participate in the Wawa Wasi Programme as Madres Cuidadoras (mother care-givers), developing their skills to provide comprehensive care for boys and girls. In December 2002 there were 4,511 care-givers who received ongoing technical assistance in the performance of their work, and 1,153 of them participated in training workshops on organizing and providing comprehensive care for children.

- During 2002, 830 members of the Management Committees and Supervisory Councils of the National Wawa Wasi Programme were trained, and workshops were held to strengthen their skills in management and supervision of comprehensive childcare services.

- In 2003, workshops provided training for 931 members of the Community Kitchens in food preparation techniques and food service organization for the Wawa Wasi programme.

The elimination of stereotypes in textbooks

101. Integrating the equal opportunity perspective for women and men in the Basic Curriculum Structure for Primary Education and the Basic Curriculum Design for Secondary Education. The gender perspective has been incorporated, in the sense of offering equal opportunity for boys and girls to develop the skills addressed in the curriculum.

102. In 2002 the Ministry of Education coordinated preparation, printing and distribution of the module on "Learning to Live in Democracy", containing two components:

1. "Developing self-esteem"

2. "Promoting gender equity".

Research was conducted and disseminated during 2002 in the following areas:

1. "Strategies for preventing violence against women in its different degrees and aspects".

2. "Educational strategies for delaying initial sexual relations among adolescents".

3. " Prevention strategies to avoid drug abuse".

4. "Prevention of adolescent pregnancy".

103. Education materials have been designed with regard to the criteria of equity and equality of opportunity among males and females. The new primary and secondary education curriculum with a gender focus were distributed in 3,565 education centres. In 2000 and 2001 teachers were given training in education with a gender focus, as were staff of the Pedagogical Institutes and the Teacher Training Colleges.

Report of the Ministry of Education: Actions to Promote Equal Opportunity between Women and Men, 22 June 2002.

104. The Education Sector is developing the "Teacher Training Plan" (PLANCAD), for the first three months of each year, with the objective of eradicating sexist contents from teaching materials and promoting coeducational values at all stages. In 2000, 334 workshops were held, training 30,000 teachers and 17,000 directors. 430 Pedagogical Institutes and Teacher Training Colleges (public and private) were advised of the new curriculum with a gender focus.

Opportunity for scholarships and education grants

105. The MIMDES Programme to Support the Resettlement and Development of Emergency Zones (PAR) has implemented a programme of educational grants for orphaned boys and girls (as provided in Law 27277), to restore the educational and vocational opportunities lost to them through their status as orphans. The children are being given the opportunity to pursue their studies and go on to higher education and vocational training. Employment opportunities for persons orphaned by political violence have also been improved. In 2002, there were 1,999 women beneficiaries from the seven departments most severely affected by political violence.

Reducing the school dropout rate among girls

106. The Literacy Programme was transferred from MIMDES to the Ministry of Education in February 2002, in order to link it more closely with formal education programmes at the different levels. In this way, the Education Sector now covers all government education programmes, and can establish strategies with linkages between regions and training systems.

107. In 2002, the United Nations Children's Fund, UNICEF, and the Ministry of Education signed a cooperation agreement for "Building Citizenship among Adolescents Returning to Primary Education". The agreement will update the education contents from a perspective that will help teenage girls to recognize and practise their citizenship responsibilities and will encourage girls at risk of abandoning their studies to remain in school.

Access to information on family health

108. In 1999 the Ministry of Education created the National Sex Education Programme. Its contents referred to sexual ethics, sexual identity, responsible sexuality, family abuse and violence, prevention of sexual abuse, sexual and reproductive health, preventing adolescent pregnancy, responsible paternity and a life plan, and sexually transmitted diseases and AIDS.

109. Activities have been developed to prevent teenage pregnancy, focusing on sexual and reproductive health and on promoting family values. The "Support for the National Sex Education Programme" project supported by UNFPA is part of this effort, the contents of which cover the family, human sexuality, and responsible paternity.

Article 11. Women's employment

"1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:

a) The right to work;

b) The right to the same employment opportunities;

c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right

to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;

d) The Convention also calls for measures "to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work".

110. The Ministry of Labour and Employment has various programmes in support of work opportunities for women:

- In 2001 the Ministry created an employment exchange network known as the "RED CIL-PRO Empleo", a public policy designed to reduce urban unemployment and underemployment by establishing a better match between persons seeking jobs and firms requiring workers. The network is pursuing three strategies:

1. Decentralization, offering services in the 24 departments and the Constitutional Province.

2. Partnerships with public and private sector institutions.

3. Mobilizing resources through international cooperation.

The network comprises the Public Employment Service, "PROEmpleo", and the network of Job Placement and Information Centres (CIL). The results of this job exchange have been promising: in 2002, some 100,000 male and female workers (18% of them urban unemployed) were registered and advised of employment opportunities, 8,000 firms using the system generated 40,000 staffing requests, and placed 25,000 male and female workers (4.5% of all urban unemployed), while 10% of all persons registered received occupational guidance and vocational assistance.

- In 2001, the Ministry of Labour sponsored the Women's Temporary Employment Training Programme. 3,122 women between the ages of 15 and 65 participated in the programme throughout the country. The programme was intended to promote temporary employment and to offer training that would open the way to other positions.

- PRO JOVEN, the MTPE's Occupational Training Programme for Youth, began its activities in 1996. It provides six months of on-the-job shop training for poor youth aged 16 to 24 years, in response to requests from businesses. The programme is active in various districts of Lima, such as San Juan de Lurigancho, San Juan de Miraflores, and Los Olivos (where it has its Records Centre), and in the interior, in such places as Arequipa, Trujillo, Chiclayo, Cusco, Piura, Huancayo, Iquitos and Cajamarca (young people can register either at the programme offices or at the Ministry's regional offices). The programme gives priority to youth with disabilities and to young women with family responsibilities. Participants receive a transportation and subsistence allowance (in Lima, S/.5 a day, and in the interior, S/. 3 a day) as well as accident and sickness insurance. The allowance is increased for young mothers, as a function of the number of children. The training is provided by entities that have been prequalified and registered for the programme. In the programme's 10 rounds of public competition since mid-1996, more than 32,000 young people from Lima and eight cities of the interior have been selected. Of those participating, 54% have been women and 46% men. The selection of trades for the training courses has been as follows: textiles and

clothing, 40.7%; hotel administration and services, 31.4%; production and motor mechanics, 11.3%; and others (carpentry, woodwork, construction, baking, footwear, agro-industry and fishing), 16.6%. During 2003, the 10th round of competition was held in five cities of the interior (Arequipa, Trujillo, Chiclayo, Huancayo and Iquitos) and 1,795 young people were selected. The 11th round is now underway in the cities of Lima,Cusco and Piura, and is expected to benefit 2,387 young people. Studies have shown that young men and women participating in the programme increased their real incomes by 97%, and that women achieved an even greater increase (126%) than men (77%).

- The Female Employment Consolidation Programme (PROFECE), created in 1994, is open to women of any age with family responsibilities. It operates in marginal areas of Lima and with families in outlying districts of Ayacucho. In 2002 the programme generated 22,754 temporary jobs, and registered 2,236 "labour supply groups" (GOOLs). In Ayacucho it created a total of 12,496 temporary jobs in 216 small-scale productive units. Since 2003 it has been known as the "Women Entrepreneurs" Programme, emphasizing women with business initiatives. The programme devotes 2% of its resources to persons with disabilities. Between January and August of 2003 it achieved the following results:

- The Registry of Female-Led Productive Units and Their Members registered 3,579 persons to be served by the programme: 93% (3,343) are women, and 7% (236) are men.

- Training in Business Management and Product Development for Women Entrepreneurs in Metropolitan Lima: provided training for 575 people, of whom 97% (555) are women and 3% (20) are men.

- In terms of marketing connections, 2,513 people participated in trade fairs jointly organized with municipalities and Agentes de Articulación Comercial ("Marketing Coordination Agents", AGAs) and directly with businesses looking for production services. Of the total of participants in these activities 90% (2263) were women, and 10% (250) men.

- The Self-employment and Microenterprise Programme (PRODAME) has facilitated the establishment of 2,187 microenterprises to July 2003, and provided direct support to 5,190 entrepreneurs, of whom 25.6% (1,328) were women, and 74.4% (3,862) were men.

- FONDEMI-BONOPYME, the Peru Entrepreneurship Programme, is targeted at firms employing fewer than 20 workers. It provides subsidies (S/.15 per person for training and S/.100 of direct assistance per firm) and training in production management techniques. It also provides shop-floor technical assistance at the request of male and female entrepreneurs. Between April and September 2003, women represented 42% of beneficiaries.

111. The Ministry of Labour and Employment, working with the International Labour Organization (ILO), conducted a "Diagnostic Analysis of Gender Discrimination in the Labour Market" in 2002, using indicators from the National Household Survey. In the course of the study two workshops were held, one with secretaries of labour federations and unions, and the other with social organizations, NGOs and government bodies.

112. In 2003 the Ministry of Labour, in coordination with the ILO's "Gender, Poverty and Employment" Programme, conducted the first phase of the "Inventory of Employment and Income-Generating Programmes and Projects with a Gender Focus", and established a database of 63 projects demonstrating the efforts of public and private bodies that promote female employment nationwide, although not necessarily with a gender focus.

113. The Project of Assistance for Regulation of the Energy Sector in Peru (PARSEP), which is supported by the Canadian International Development Agency (CIDA) and is being implemented by the Canadian Petroleum Institute and the Ministry of Energy and Mines, includes gender equality among its activities, and has prepared a diagnostic analysis on "Gender Equity in the Hydrocarbon Sector", identifying ways to incorporate the gender focus in State bodies in the energy sector.

114. One of the reports prepared by PARSEP was a diagnostic report on gender and employment at PERUPETRO 2002, analyzing in detail the distribution of positions between women and men.

115. PARSEP prepared and published the newsletter "Energy, Environment and Gender" during 2002. Three issues appeared, in May, July and September. The newsletter seeks to draw attention to women's role in the Sector and their contribution to environmental protection.

116. The National Council for Integration of Persons with Disabilities (CONADIS), of the MIMDES, has signed an agreement with the bottling company, Empresa Embotelladora Latinoamericana ELSA SA (Coca-Cola), to encourage the employment of the disabled, establishing a percentage for women with disabilities. For the year 2003, three sales modules for the bottling plant's products have been established, in which women with disabilities are working.

117. CONADIS negotiated and signed in 2003 an agreement with the National Engineering University (UNI) to train women and men with disabilities in the formulation of social investment projects, technical and business advisory services, and the generation of project pipelines. An agreement is now being worked out with the National Social Compensation Fund, under the Ministry of Women and Social Development, to make small and microenterprises more accessible to women and men with disabilities.

118. CONADIS is about to sign an agreement with the ONCE Foundation for Solidarity with Blind Persons in Latin America (FOAL), to promote employment opportunities for the visually impaired, setting a percentage quota for women.

119. An important aspect of efforts to improve women's productive and labour capacity is continuous training and skills upgrading. The National Wawa Wasi Programme of MIMDES is making efforts to help professional women who work in its offices and are part of its technical teams to upgrade their working skills and capacities. In 2002, 390 professional women were given training in issues relating to comprehensive care (health, education and nutrition), community promotion, and adult education.

120. This daycare programme helps women to escape from poverty. By being able to leave their children at the daycare centres, these women are then free to join the labour market. The programme thus represents both economic and family support. In 2002 it provided daycare services for 36,381 mothers.

121. The National Office for Grassroots Cooperation (COOPOP) of MIMDES conducted the following economic development activities:

- The Organized Youth Initiatives Project (JODI), which ran from March 2001 to December of that year, was designed to encourage young people to take initiatives for the development of their communities by strengthening their social skills and ensuring public recognition of their efforts. The direct beneficiaries were members of youth organizations, of both sexes, between the ages of 15 and 24 years. The project stressed the following topics: communication and culture, sexual and reproductive health, social skills, ecology and the environment, education, values and rights. According to the evaluation report, there were 777 direct beneficiaries (398 males and 379 females), and some 40,000 indirect beneficiaries (male and female) among the target population of the initiatives selected.

- The "PROARTEX Project. Skills Development for Female Handicraft Weavers Living in Poverty" (March 2002 and December 2002) had the general objective of improving income-generating conditions for female handicraft weavers, by developing their abilities and skills and helping them balance their working activity with their household responsibilities. At the same time it sought to promote textile handicraft activities by improving the match between supply and demand. The target population consisted of female weavers in poor and extremely poor areas. This project helped 6,598 women weavers through training courses, replicas, technical assistance, coordination roundtables, local and national fairs (as non-fixed points-of-sale), business networks, service and information centres and fixed points-of-sale, working in the following product lines: hand-woven and machine-loomed fabrics, flat and "away" weaves, crochet work and embroidery.

- "Support Project for Income-Generating Social Initiatives for Women Living in Poverty, PIES". For two years (2001 and 2002) this project supported social initiatives for sustained income generation and for helping women's organizations to run small local businesses. The objective was to give women opportunities to generate sustained incomes by developing their skills and capacities. It worked closely with civil society, primarily NGOs, and with local governments. The gender equity focus was key in classifying and selecting projects; active participation by women reached 80%. Activities centred on women's empowerment, leadership and management capacity, both within their own organization and within the broader community. By the end of the programme, a total of 2,133 women had benefited directly in 39 projects throughout the country, and there were 12,798 indirect beneficiaries (family members). Activities included the following: technical training, technical assistance, business management, preparation of marketing studies.

- The Department (Subgerencia) of Training for Sustainability is promoting the active participation of women in decision-making and in the management of projects financed by the National Compensation and Social Development Fund. It is also encouraging real and greater involvement of women in project design and planning, in order to promote consensus on equitable human development. Of the 2,465 executing unit representatives, 27.1% nationwide are women.

- **The Mejorando tu Vida** ("Improving Your Life") Programme. Social infrastructure projects with training for the sustainability of regular projects. The National Compensation and Social Development Fund (FONCODES) has encouraged men and women to participate in the project cycle and in developing their management capacities so as to empower them socially, politically and psychologically and ensure the sustainability of the works and services implemented, and thereby improve living conditions for poor and extremely poor people in rural areas.

122. Because training is essential for project sustainability, FONCODES provided training in 2002 for 8,529 women in matters including potable water management (2,993) and latrine construction and maintenance (3,190).

123. In 2002, the Ministry of Foreign Trade and Tourism involved 158 female artisans in various exhibitions, nationally and internationally, where they were able to market their products and exchange experience and know-how about artistic production processes.

124. In 2002 the National Family Welfare Institute (INABIF) of MIMDES provided training in basic trades for 1,546 women of limited economic means, through vocational training workshops, fairs and seminars for establishing microenterprises. These seminars were held in 15 of the country's departments, and 1,451 women were trained in establishing microenterprises.

Strengthened legislation

125. One area of State activity where female participation has traditionally been limited is in the armed forces and the police. In 2002 the National Police of Peru, through its Restructuring Committee, created a Special Commission to analyze the existing situation and propose measures for promoting the human rights of female personnel. The Commission was established by Ministerial Resolution 00206-2002-IN-0102 of 11 January 2002.

126. Subsequently, the Ministry of the Interior created the Permanent Commission of Female Police (Ministerial Resolution 00206-2002-IN-0102 of 11 January 2002), which was then amended by Ministerial Resolution 409-2002-IN, and is responsible for advising, promoting research, addressing cases and answering inquiries with respect to women's human rights, gender inequity and promotion of equality for persons providing services in the Interior Sector.

127. On 31 July 2003 the National Congress promulgated the "Act to protect pregnant women working in jobs that pose a risk to their health or to normal development of the foetus", to protect the health of pregnant women in the workplace, without the risk of losing their job because of pregnancy.

128. Law 26772 of 17 April 1997 prohibits discrimination in access to employment and to education. Law 27270 of 29 May 2000, amending that Law, makes discrimination a crime under the Peruvian criminal code, and includes all discrimination by reason of sex within that definition.

129. On the November 2002, Directive 001-2002-IN/DDP-OE-MUJ, "Rules and Procedures for Promoting Respectful Interpersonal Relations and for Preventing and Punishing Sexual Harassment" in the Interior Sector was approved, establishing

procedures to improve relations between women and men belonging to the armed forces.

130. Law 27986, the Domestic Workers Act, regulates the activity of this important group of workers, the majority of whom are women.

131. Supreme Decree 001-2003-TR creates the "Registry of Firms that Promote Persons with Disabilities", in which firms that observe a 30% quota for hiring employees with disabilities can register and can receive tax benefits. According to the data from CONADIS, 70% of disabled people in Peru are women, and this rule will therefore mean significant progress in female employment.

132. The Wawa Wasi Programme operates with funding through a loan from the Inter-American Development Bank (59%) and from the national treasury (41%). Beginning in 2004, the Peruvian government will take over full financing of the programme. As of 30 August 2003, there were 4,862 Madres Cuidadoras (mother care-givers) participating in the Wawa Wasi programme, with continuous training provided during field visits by professionals from headquarters, developing their skills to provide comprehensive child care. 1,153 of them participated in training workshops on organizing and providing comprehensive care for children.

133. As a further achievement of the Wawa Wasi, in terms of day care and stimulating early childhood development, an average of 72,000 mothers and fathers have been given coaching in positive childrearing practices. There are now 366 Management Committees and Supervisory Councils participating more actively to promote, manage and supervise the operation of these services.

134. In order to facilitate and encourage female participation in the armed forces (there are currently a total of 6,475 women in the Army, the Navy and the Air Force), pursuant to Law 27240 of 20 December 1999 (complementary to Law 26644), normal provision is now made for maternity leave and the right to an hour of breast-feeding time (for six months).

135. Within the Interior Ministry itself, these provisions have been improved through the efforts of the Specialized Commission on Women Police. Directive No. 002-2003-IN/DDP/03-MUJ on "Maternity and Breast-feeding" specifies that a female police officer who is pregnant must be reassigned to less risky work (administrative duties, for example) for her protection, and special working hours must be established to accommodate her.

136. The National Family Welfare Institute (INABIF) of the Ministry of Women and Social Development (MIMDES) provided day care during 2002 for 8,879 children aged six months to 12 years, with comprehensive care targeted at specific age groups. A total of 4,066 mothers benefited from the programme, most of them working women and single heads of family.

137. The Ministry of Defence promoted the approval of Law 27240, published on 20 December 1999, granting maternity leave. These benefits refer to "expecting workers or working mothers", without distinction as to the labour regime, or the worker's classification or status. Maternity leave (pre-and postnatal) for female military personnel is granted under the same conditions established in existing labour legislation, upon application by the person concerned. Female military personnel of the armed forces are entitled, at the end of their postnatal leave, to one

hour of breast-feeding time until the child is one year old. That time may be taken at the beginning or at the end of the working day.

138. Law 27409, approved on 25 January 2001, authorizes leave for adoption, recognizing the need to forge new bonds and relationships within these family units in order to generate empathy between the adoptive parents and the adopted child.

139. Law 27606 of 21 December 2001 amended Law 26644, extending postnatal maternity leave by an additional 30 days in the case of multiple births, i.e. when a woman gives birth to more than two children at once, in recognition of the specialized care and treatment required.

140. Law 27402 of 20 January 2001 specifies the right to prenatal and postnatal leave for expecting female workers, updating a basic right that is directly linked with the condition of motherhood and promoting care and monitoring during pregnancy to protect the life of the mother and child.

141. Law 27403 of 20 January 2001 specifies the hour of breast-feeding time to which Law 27240 refers. It allows proper attention to breast-feeding and reinforces the bond with the mother, bearing in mind the benefit that this brings for the child.

142. Law 27408 provides for preferential treatment for pregnant women in public health care centres, in order not to place at risk the healthy progress of the pregnancy.

143. Law 27616 establishes equality in the requirements for men and women applying for the widowhood pension pursuant to Decree Law 20,530, establishing the basis for equitable access and equal benefits.

Article 12. Women's Health

> "States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning."

Fertility and contraception

144. There has been a sharp decline in Peruvian fertility in recent years. The Total Fertility Rate (TFR) is estimated at 2.9 children per woman for the period 1997-2000, which is 21% lower than for the preceding 5-year period. In urban areas, the TFR is 2.2 children per mother, and in rural areas it is 4.3.

145. The median age of first sexual relationship is 19.1 years. However, in Lima and in the Selva regions teenagers start earlier (at 17 years). The age varies according to certain demographic characteristics: the median age for females with schooling is six years older than that of women with no education.

146. A great portion of the reduction in fertility is attributed to the use of modern contraceptive methods. In Peru 98% of women living with a partner know or have heard of some contraceptive method. The best-known modern methods are the pill (94%) and injections (93%). The number of women living with a partner who used contraceptive methods rose by five percentage points from 64% in 1996 to 69% in 2000; of those women, 50% used modern methods, and the rest used natural

methods. In rural departments such as Huancavelica and Ayacucho, however, modern methods are used by only 24.6% and 33.1% respectively. The prevalence of use among unattached, sexually active women is 76.4%. These figures reflect the impact of information, education and dissemination campaigns to provide greater access to family planning services.

147. Ministerial Resolution 399-2001-SA/DM of the Ministry of Health provides that emergency contraception tablets are to be used as part of family planning methods offered in the country. Directorate Resolution 13958SS/DIGEMID-DERN-DR of 17 December 2001 authorizes Health Registry No. 1408 for the sale of POSTINOR 2, with a medical prescription. The health sector has yet to implement this legal provision.

148. As part of the Family Planning Programme, the Ministry of Health provided advice and counsel to 1,290,781 women of childbearing age who sought family-planning services in public health care centres during 2002. There has in fact been a steady increase in recent years in the number of couples using some form of contraceptive protection. Health centres of the Ministry of Health, ESSALUD and the Armed Forces provided protection for 1,342,380 couples in 2000, 1,371,614 in 2001; and 1,411,646 in 2002.

Maternal health

149. Maternal mortality is a significant problem in the country, and continues to be a government priority. Recent years have seen a sharp and systematic decline in maternal mortality, from 261 deaths per 100,000 live births in 1991 to 185 in 2000.

150. In order to encourage the efforts of the many people working in one way or another to reduce maternal mortality in our country, the "Sarah Faith Award" was established, with the support of Pathfinder International. The award recognizes the importance of creative and timely intervention by institutions or health care providers to save the lives of women threatened by complications during pregnancy, at and after childbirth, and in cases of abortion.

151. The number of maternal deaths declined in absolute numbers from 769 in 1997 to 557 in 2002. It is estimated that 65% of women do not receive care in health centres, because of money problems, and this rate rises to more than 90% in the poorest and most isolated areas such as Puno, Huancavelica, Cajamarca and Cusco. The Comprehensive Health Insurance System (SIS) has been established to ensure that all women living in poverty will have the right to free maternity care, without exception.

152. The SIS assures access to health services for people living in extreme poverty, and it has been extended to cover women's organizations. Law 27660 of 7 February 2002 specifies that comprehensive health insurance must be provided as a priority for women of Grassroots Social Organizations and Wawa Wasi. This is particularly important in our country, where thousands of women are pooling their daily efforts to provide food security for their families, with no compensation whatever, and to care for children in early infancy. In recognition of International Woman's Day (8 March), the government officially issued the Regulations to the Law, governing its scope and application.

153. As a result of these efforts, the number of pregnant women and new mothers affiliated with the SIS rose from 140,609 in 2001 to 544,876 in 2002, while the number of pregnancy and postnatal cases handled rose from 916,555 in 2001 to 3,162,045 in 2002.

154. Prenatal care coverage has been increasing: 84% of pregnant women received prenatal care in the five-year period from 1995 to 2000, and 74% of those women were less than six months into their pregnancies. This is the result of the efforts that health personnel have been making, together with the community. The Ministry of Health has 30,000 community health workers, most of them empowered women who work closely with the Sector.

155. In 2000 there were 384,688 pregnancies monitored, and that number rose to 414,561 in 2002. The caseload per professional has also been rising, primarily in rural areas.

156. Although women still prefer to give birth at home, especially in the country's Andean areas, institutionalized childbirth increased by three percentage points in 2000 over the previous five-year period, from 55% to 58%. In absolute terms, the Ministry of Health reported 284,523 assisted deliveries in 2000, and this number rose to 302,594 in 2002.

157. Law 27604 of 22 December 2001 provides that any woman who is about to give birth, or any person in an emergency situation, is entitled to care in a government or a private health establishment.

158. Other progress during 2002 has included:

a) 2,665 study sessions on perinatal and neonatal maternal morbidity and mortality.

b) Treatment of 26,352 obstetrical emergencies or complications and 8,079 neonatal complications.

c) 252,873 laboratory tests.

159. Training has been provided in emergency obstetrical care for 5,730 professionals and 3,047 nursing technicians. Six shelters for pregnant women have been established, and training in maternal health care has been provided to 2,377 community workers and 1,625 midwives. Perinatal Mortality Prevention Committees have been established in all health establishments where childbirth accounts for 70% or more of admissions, an epidemiological datasheet has been prepared, and a channel has been established for reporting maternal deaths throughout Peru.

160. Abortion is the fourth leading cause of female deaths in MIMDES establishments. Each year there are some 352,000 abortions in Peru (Delicia Ferrando): 39% of them result in complications, and only 14% of these receive hospital treatment.

161. The National Council for the Integration of Persons with Disabilities (CONADIS) of the MIMDES has signed an agreement with the College of Obstetricians of Peru and the NGO "Pre Natal" for joint action to generate a culture of prevention of foetal disability during pregnancy. Another contract was signed in 2002 with the National Association of Shipowners and Small-scale Fishermen of Peru (ANAPAP) to reduce the indices of malnutrition among disabled women and

men in Lima's marginal urban neighbourhoods. This contract will help to prevent maternal anaemia during pregnancy and childbirth.

Nutrition

162. Maternal breast-feeding is a generalized practice in Peru: 98% of children born between 1995 and 2000 were breast-fed at least once, and 84% began to nurse on the first day. After 24 months, more than one-third of children were still nursing.

163. In 2002, 32% of women suffered from some degree of anaemia, a proportion that was four percentage points lower than that observed in the previous five-year period. This problem is more frequent among women living in the departments of Cusco, Piura and Ayacucho, where the rate exceeds 40%.

164. One in every two children (50%) under five years of age is anaemic. This problem is more frequent among children living in the Sierra (56%).

165. The Ministry of Health, as part of its regular services to expectant women, provided iron sulphate protection to 104,388 women in 2001. This represented an increase over the year 2000, when only 93,294 pregnant women were so protected.

166. Through the National Food Aid Programme (PRONAA), various projects have been undertaken to improve the nutrition of women and children, who are the groups most affected by extreme poverty. One example is the food provided through community kitchens and children's canteens, which in 2003 provided assistance to 939,389 and 144,530 beneficiaries respectively. In the case of the children's canteens, the intention is to reduce the prevalence of micronutrient deficiencies, including iron, vitamin A and vitamin C; it is planned to cover 100% of iron requirements and to compensate for the low bioavailability of this nutrient in children's diets.

167. As part of efforts to promote assistance for mothers in the health care centres, the Ministry of Health between 1995 and 2002 accredited 140 hospitals as "mother- and child-friendly", and 15 clinics as "mother- and child-friendly, in support of maternal breast-feeding". Organizations such as IBFAN (International Baby Food Action Network), CEPREN (Centre for Nutrition Promotion and Studies) and the La Leche League have cooperated in these efforts.

Sexually Transmitted Diseases and AIDS

168. Sexually Transmitted Diseases (STD) affect more women than men, because the female genital anatomy is more susceptible to infection. In Peru, the STD problem has been exacerbated by the Acquired Immune Deficiency Syndrome (AIDS). The demographic census of 2000 indicated that one-quarter of women who had engaged in sexual relations in the previous 12 months suffered from an STD, genital secretion, or genital ulcers. STDs were most prevalent among women between the ages of 25 and 29 years. According to reports from the Ministry of Health, in 2000 there were 596,690 STD cases treated, and this figure increased to 639,558 cases in 2002.

169. AIDS has been present in Peru since 1983. To September 2000 a total of 13,257 cases had been reported. The male/female ratio declined from 23.3 in 1987

to 3.2 in September 2002. Of the 9,000 AIDS cases reported to October 2001, 19.02% were female.

170. The median age of reported AIDS victims is 31 years. To September 2002, sexual contact accounted for 96% of cases, mother-to-child transmission for 3%, and parenteral transmission for 1%.

171. On 3 December 2001, the Ministry of Women and Social Development (MIMDES), working in coordination with the Congressional Committee on Women, held a public ceremony to raise awareness and to launch a "National Alert against HIV/AIDS".

172. A National Multisectoral Health Committee was constituted in 2002, consisting of the Ministry of Health, the Ministry of Education, NGOs, grassroots social organizations, academic, religious and other organizations, to prepare a proposal for "Strengthening the Prevention and Control of Tuberculosis and AIDS in Peru", for presentation to the Global Fund to Fight AIDS, Tuberculosis and Malaria.

173. That proposal was successful, and the AIDS component now has funding of US$23,671,871 for five years. The components are consistent with MIMDES strategies, which call for:

- Proper treatment of Sexually Transmitted Infections (STI) at the primary care level. Prompt diagnosis and treatment of STI by trained personnel and increased access to primary-level services represents the principal strategy of primary prevention.

- Specific interventions with groups showing high levels of STI prevalence. Comprehensive attention (counseling, regular clinical checks, laboratory testing and delivery of inputs), at convenient times and with trained personnel for at-risk groups such as sexual workers, their clients, and men who have sex with other promiscuous men, limits the incidence of STIs in these groups and consequently prevents them from spreading to the general population.

- Encouraging behavioural changes and the adoption of safer sex habits that pose less risk of contracting STI. The intention is to promote partner fidelity, postpone initial sexual activity among youth, and reduce casual sexual relations.

- Limiting perinatal transmission of STI/HIV. The administration of antiretroviral therapy during pregnancy has significantly diminished the risk of infection to the newborn, from 30% to 8%; this strategy has been applied January 1996.

- Strengthening the country's transfusion services. So far there has been great success in controlling this form of transmission.

- Adopting biosafety practices for health personnel. Training of health personnel assures adequate care for patients while reducing the risk of contamination through accidents.

- Intersectoral participation. Coordinated and concerted involvement by the different institutions of the health and other sectors, NGOs and community organizations is the best way to confront this epidemic, which has severe repercussions on public health.

- Antiretroviral drugs. Peru is working with international agencies to overcome the barriers to the acquisition of antiretroviral drugs and medications for opportunistic infections.

174. Some legal advances toward addressing the problem are to be found in Law 27450, removing VAT and customs duties on medications for the treatment of cancer and HIV/AIDS. One problem here is the cost of drugs, which is estimated at between US $1,000 and US$10,000 for palliative care and maintenance of an infected patient.

175. Supreme Resolution 265-2002-DGSP approved Directive 001-DGSP-DEAIS-DPCRD-CETSS-2002 on "Antiretroviral treatment for children infected by HIV" and Law 27657, whereby the SIS provides funds for individual health care for poor people without insurance, and offers free ARV treatment for children under 17 years.

Violence against women and girls

176. Violence as a consequence of gender inequality has many expressions. The implications for the physical and mental health of women are considerable, both in the short term and over the medium term.

177. Situations of verbal abuse were reported in 2000 by more than 25% of women, primarily complaining of a husband who "ignores" the woman or is "indifferent" to her, who "shouts when he speaks to her", or who says "I'm tired of you. I'm leaving". Such situations are more frequent among older women, among women who are separated or divorced, and among women with no education. Of women living with a partner, 41% have been physically assaulted "at least once" by their spouse or partner, most of them (83%) "several times", and 16% "frequently". The mother and father have also been identified as aggressors, particularly the father, who is responsible for physical violence in 45% of cases.

178. When it comes to children, 86% of mothers declare that verbal reprimand is the most frequent form of punishment that the father uses to correct his children, yet 41% resort to spanking when they believe it "necessary"; it is noteworthy that 33% of mothers believe that corporal punishment is necessary for raising boys and girls properly.

179. There are several institutions in the country committed to supporting women and children who are the victims of abuse.

- The MAMIS Project: Child-abuse Care Modules, from the MIMDES (sponsored by UNICEF) has been treating children and adolescents up to 18 years since 1994. In 2000, there were 22 comprehensive and multidisciplinary care modules and 32 referral centres nationwide.

- At the national level, the Children's Defenders and the Women's Emergency Centres have been established to provide steady support in situations of violence. In 2001, they dealt with 107,577 cases of family violence and sexual abuse, and 212,775 cases in 2002. A careful analysis of this increase is one of the challenges that policymakers must still address.

180. The Ministry of Health (MINSA) is making efforts to help female victims of violence, as can be seen from the rising number of cases handled. MINSA

establishments dealt with 88,118 cases of sexual violence in 2002, of which 63,861 affected women, a higher figure than in 1997, when a total of 8,889 cases of violence were handled.

181. A total of 69,722 cases of depression were handled, 48,604 of them women. These figures represent a sharp increase over 1997, when a total of 47,016 cases were treated. This rising trend in demand for attention to mental health problems is expected to continue in coming years, because the Ministry of Health is expanding its mental health care services in all its establishments.

182. As part of the project known as Familia Peruana por una Vida Sana ("Peruvian Family for a Healthy Life"), financed by the National Audubon Society (NAS) and USAID in 2001 and 2002, and implemented by the Ministry of Women and Social Development, training workshops have been held to strengthen self-esteem for women and children in low-income households, in order to establish conditions for preventing premature pregnancy and drug consumption.

183. In 2002 the National Family Welfare Institute of the Ministry of Women and Social Development enrolled 1,526 men and women in the "Seniors Clubs" for people 60 years of age and older who are living in poverty or have been abandoned by their family; 828 women participated in 15 departments of Peru. Among the activities of these clubs are work therapy, self-help groups, self-esteem workshops, preventive health campaigns, workshops on rights and duties, literacy, exercise sessions, and outings.

184. One element that affects the mental health of many Peruvian women is family violence, which has repercussions on their physical, psychological and sexual well-being. The MIMDES National Programme against Family Violence and Sexual Abuse held special training sessions during 2002 involving workshops and discussion groups for 70,821 persons dealing with family violence. Similarly, the Programme reached 272,802 people during its 2002 awareness campaigns to mark International Day for the Elimination of Violence against Women. These campaigns were conducted throughout Peru and included discussion groups, meetings, street theatre, fairs and public forums.

185. In support of efforts for the systematic eradication of family violence, the National Programme against Family Violence and Sexual Abuse during 2002 established or reinforced 36 broad-based intersectoral roundtables in the premises of the Women's Emergency Centres.

186. To ensure informed public appreciation of the scope and repercussions of family violence and sexual abuse in Peruvian society, the National Programme against Family Violence and Sexual Abuse secured during 2002 the commitment of 12 broadcasting stations in Lima, Cajamarca, Lambayeque, Chiclayo, Casma, Piura, Arequipa, Oxapampa, Huanuco, Tacna, Ayacucho and Huacho to produce programmes addressing this social problem and providing information on prevention.

187. The Programme signed up 228 facilitators during 2002 from among grassroots social organizations and community leaders for monitoring and prevention of family violence in the districts of Comas, San Juan de Lurigancho, San Juan de Miraflores, Barranco, San Luis, Ventanilla, Callao, Villa el Salvador and Lima Cercado.

Cervical cancer

188. Of all cancers, it is cervical cancer that is the leading cause of death among Peruvian women. Between 1986 and 1997 Peru recorded 6,369 deaths from cervical cancer. Estimating the incidence of this type of cancer is difficult in a country that does not have adequate records. Between 1990 and 1993, there were 933 deaths from cervical cancer in metropolitan Lima, and 992 deaths from breast cancer (MINSA, Executive Directorate for Noncommunicable Diseases, 1994).

189. For the country as a whole, between 1997 and 2001 MINSA establishments took a total of 2,208,209 PAP smears: the rate of those testing positive varied between 0.78% and 1.84%.

190. Among the measures being taken to combat cervical cancer is the TATI project (Tamizaje y Tratamiento Inmediato, "Screening and Immediate Treatment), sponsored by the Pan American Health Organization and involving other organizations such as PATH (Programme for Appropriate Technology in Health), IARC (International Agency for Research on Cancer), JHPIEGO (Johns Hopkins Programme for International Education in Gynaecology and Obstetrics), EngenderHealth and the National Plan for Gynaecological Cancer Prevention of the Ministry of Health in San Martin. PAP smear screening was used, as well as visual inspection with acetic acid (VIA) associated with cryotherapy, as an alternative or complement to the PAP test. This is a demonstration project of a cost-effective strategy for preventing cervical-uterine cancer among high-risk women, i.e. those between the ages of 25 and 49.

Social participation by women

191. Women have been encouraged to participate in public health activities. CLAS associations ("Local Health Administration Communities") have been created with the active involvement of urban and rural women's organizations to cooperate in co-management of the health service. Currently there are 2,082 health centres operating under the CLAS format nationwide, representing 35% of all existing establishments.

192. Interministerial agreements have been negotiated to promote the National Plan of Comprehensive Health Care for School Children and Adolescents and to ensure timely and high-quality care. In 2001, an agreement was signed between the Ministry of Women and Social Development and the Ministry of Health to provide specialized care for children, care-giving mothers, and members of families using the Wawa Wasi programme services, which are targeted at children under the age of six. Services include monitoring child growth and development and comprehensive health insurance. The service has benefited 36,381 children and 4,511 care-giving mothers.

Girls' health

193. According to the ENDES 2000 survey, 33 out of every 1000 Peruvian children die within a year of birth. This figure represents a decline of 37% from the estimate for the period 1990-1995, which was 52. Yet it must be noted that neonatal mortality (within the first 28 days) rose as a proportion of these deaths by three percentage points from 52% to 55%. This means that of those infants that die in their first year, more than half succumb before they are a month old.

194. The infant mortality rate, according to that same report, is higher among boys than among girls, by six percentage points. The greatest risk of mortality is for the male children of teenage mothers: for them, the mortality rate is 52 per thousand live births.

195. Perinatal mortality is 23 per thousand pregnancies of seven months or more, and is highest in the Sierra zones (Pasco and Cusco), where it reaches more than 40 per thousand.

196. Chronic malnutrition affects 25% of children under 5 years (who show growth retardation in relation to their age), nine percentage points lower than in 1996. The impact is greatest on children in rural areas in the departments of Cajamarca, Huánuco, Apurimac, Cusco and Huancavelica.

197. Anaemia is a frequent problem in 50% of children under 5 years, according to the ENDES 2000 survey. Anaemia is more frequent among children in the Sierra (56%) and in the departments of Tacna and Cusco, where it affects more than 62% of the under-five population.

198. In 2002, the MINSA reported 3,913 deaths, down from the level of 4,018 reported in 2000. Coverage of growth and development monitoring for children under 5 years (with seven checks during 2000) was 64.5%, according to the analysis unit of the General Directorate of Individual Health. In the case of children under one year, the coverage rate was 89%.

199. The vaccination rates for polio (94.5%), measles (95.23%), BCG (92%) and DPT (94%) were about 92% in 2002. Moreover, in June that year, the Ministry of Health amended the vaccination calendar to include universal vaccination against hepatitis B, malaria and yellow fever, diseases that have become a major public health problem.

200. 72% of the latest cohort of children under five years has received postnatal monitoring: of these children 58% were born in health facilities, and 14% were born elsewhere. In 2000, health centres attended 338,119 newborns, while the number in 2002 rose to 358,958.

201. The most prevalent childhood diseases are acute respiratory infections and diarrhoea, at 20% and 15% respectively. According to the ENDES 2000, only half of these cases are brought for attention at medical centres.

202. Between 2000 and 2002, health establishments of the MINSA handled 9,544,147 cases of common childhood diseases. The Comprehensive Health System provides free coverage for the care and treatment of these diseases.

203. The National Wawa Wasi Programme of MIMDES negotiated a contract in 2001 with the Ministry of Health to provide specialized care for children, care-giving mothers, and members of families using the services of Wawa Wasi, specifically the CRED and SIS health care services. That contract has provided benefits to 36,381 children and 4,511 care-giving mothers in 33 regional centres.

Adolescent health

204. Adolescents between the ages of 10 and 19 years represent approximately 22% of the Peruvian population. Of girls between the ages of 15 and 19 years, 13% are already mothers or are pregnant for the first time. This figure is higher among girls

with no schooling (37%), among those living in the Selva (26%), and among those in rural areas (22%).

205. It is estimated that 8% of female admissions to Ministry of Health hospitals are under 19 years of age (Cordero 2001), and that 14% of those admissions are for abortions.

206. The National Plan of Action for Children and Adolescents 2002-2010 (MIMDES) has set four targets for reducing the adolescent pregnancy rate (Strategic Objective No. 8):

- Reduction of the adolescent fertility rate by 30%.
- Reduction of the adolescent maternal mortality rate in marginal Andean and Amazonian areas by 55%.
- 70% of education centres to develop curriculum content on sex education, gender equity, prevention of high-risk sexual behaviour, prenatal care, and comprehensive care for children.
- No adolescent should abandon her studies because of pregnancy.

207. MINSA establishments provided prenatal care for 1,176,414 pregnant adolescents and handled a total of 140,864 adolescent childbirths between 2000 and 2002.

208. The MINSA has introduced services for adolescents in some of its establishments. If necessary, those services operate on a special schedule. The emphasis is on gynaecological and obstetrical care over any type of recuperative treatment. In association with certain NGOs, comprehensive care services are being provided with the emphasis on preventive and promotional aspects. ESSALUD has also introduced services to meet the demands of adolescents (those services are detailed in Table 12 of the Annexes).

209. The National Family Welfare Institute of the Ministry of Women and Social Development served 2,113 adolescents between the ages of 13 and 17 with socioeconomic problems in 2002, as part of its programme to develop abilities, skills, aptitudes and values. It has made major efforts to prevent premature pregnancy, drug abuse, and gang behaviour. The beneficiaries included 923 female adolescents in 15 departments of Peru.

210. The INABIF provided comprehensive care in 2002 to 31 teenage mothers in the Santa Rita de Casia Shelter, giving them food, lodging, and training and education in technical institutes.

Health care for older women

211. According to INEI estimates, the population of persons 60 years and older (about 7.2% of the total population) stands at 1,848,000. Approximately 15% of women were in menopause in 2000.

212. In 2002 the MIMDES established the National Plan for Seniors 2002-2006. It has set goals and strategies for meeting the overall needs of this group, in which women are particularly disadvantaged. Although they have a longer life expectancy, gender inequity means that their living conditions are poor: most of them have no

retirement income, since they never had the opportunity to study or to hold a paying job.

Article 13. Economic and social life

> "States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:
>
> a) The right to family benefits."

213. In 2001, a new Antipoverty Strategy was designed, under the leadership of the National Compensation and Social Development Fund (FONCODES), which pays special attention to Peruvian women living in extreme poverty in rural zones, in the High Andes, and in the Selva. It seeks to promote community development by providing continuous training for women at different stages of its projects.

214. During 2001, the "Emergency Social Production Project" (Proyecto de Emergencia Social Productivo) was designed to generate incomes and improve living standards for the poor rural population by creating temporary employment.

215. The National Antipoverty Roundtable (Mesa de Concertación para la Lucha contra la Pobreza) was established on 18 January 2001 during the democratic transition. It brings together representatives of the State, civil society, and the private sector, in pursuit of three basic goals: consistent coordination of all efforts and initiatives of government, civil society and the private sector; convergence of the various government programmes; and effective coordination at the national level between representatives of the above-mentioned spheres and international cooperation institutions.

216. The Roundtable prepared a work plan with objectives to December 2002. It has set up more than 400 working councils (Mesas de Trabajo), 26 of them at the departmental level, 162 at the provincial level, and 213 at the district level.

217. Special mention should be made of the work of the National Family Welfare Institute of the Ministry of Women and Social Development in terms of activities to strengthen the family as the basic unit of society. It served 28,000 children, adolescents, young adults and seniors in 2002 in 35 Family Promotion Centres and 59 Community Centres, located in 15 departments of Peru.

Access to bank loans and mortgages

218. Through the "Million Peasants" initiative of the Programme to Support the Resettlement and Development of Emergency Zones (PAR), three microcredit projects for women have been implemented in the departments of Ayacucho, Junin and Puno, providing a total of 76 microcredits for the benefit of 1,219 rural women. The programme has implemented 230 projects, including 90 infrastructure projects and 140 productive projects, which have directly benefited 14,400 people.

Microenterprise organization and management

219. The PAME (Small and Micro-Enterprise Support) Programme of FONCODES and decentralized public agencies of the Ministry of Women and Social Development in 2002 provided credit to 30,550 small-scale entrepreneurs, of whom 47.19% were women (in 11 socioeconomic micro-corridors, MCSEs).

220. The National Office for Grassroots Cooperation (COOPOP) of MIMDES, through its pilot project of "Support for Income-Generating Social Initiatives for Women Living in Poverty", representing the extension and culmination of the 2001 PIES project, has trained 1,767 people in technical know-how during 2002, 80% of them women.

221. In 2002 COOPOP fielded 30 participants in the project for "processing and vacuum packaging of filleted trout"; 95% of the beneficiaries were women, who received technical training and support for constructing and running a trout processing plant.

Access to property and housing

222. The Ministry of Housing, Construction and Sanitation, created in 2002, has the mandate of improving access for low-income groups to social housing, as a means of giving effect to one of the fundamental rights of human beings. Ministerial Resolution 054-2002-VIVIENDA of 13 September 2002 created the Techo Propio ("Your Own Roof") program for people suffering from discrimination and a lack of economic resources. On 11 October 2002, Law 27827 created the Family Housing Bonus (BFH), which provides a one-time non-repayable grant to eligible beneficiaries as an incentive to save and undertake home construction. Eligibility rules for these programmes have eliminated the conventional criteria that discriminated in favour of male heads of family, and women are now considered on an equal basis. The determining factor for both sexes is to fulfil the requirements. For the first time, through these programmes, a doubly disadvantaged group (female domestic workers) has access to housing: the only requirements are that they present certification of service from their employer, and that they have a savings account.

223. The Agriculture Ministry's Special Land Titling Project (PETT) is providing legal security for male and female owners of rural properties and is laying the conditions for development of a market in agricultural lands, increased private investment in farming, and access to formal credit. Since 1996 it has been employing the "clean sweep" (barrido) method i.e. the mass regularization of landholding within a given zone. The titling process respects equality of rights for citizens, male and female, in accordance with the 1993 Political Constitution of Peru. One of the most significant social impacts has been to strengthen and consolidate women's property rights, in the sense that the registration of land ownership (in particular under Decree 667) has been done with full respect for conjugal rights. In 2002 there were 210,637 formal certificates of rural property ownership issued, of which 46,550 were for female producers. For 2003, the programme calls for delivery of 273,708 formal property titles, of which more than 60,000 will be for female producers.

Participation in cultural, sporting and recreational activities.

224. As a means of providing women, especially rural women, with incentives and encouragement for cultural production, the PRONAMACHCS of the Ministry of

Agriculture organize the "First National Competition for Thoughts about Rural Women" in October 2002. The winners were women from the departments of Cusco, Puno and Huancavelica, and the prizes were awarded at the National Museum.

225. The National Food Aid Programme (PRONAA), a decentralized public agency of the Ministry of Women and Social Development, sponsored 26 cultural events during 2002 to support the integral development of women involved in women's organizations around the country. During 2002 the Programme also provided a series of training sessions on nutrition and balanced diet, targeted at members of women's organizations. Such training was provided for a total of 12,870 women during the year.

226. The National Council for the Integration of Persons with Disabilities (CONADIS) of the Ministry of Women and Social Development organized the First National Assembly of Women with Disabilities in 2003, at which women belonging to organizations registered with CONADIS participated in discussions and exchanged experience, and formulated a diagnostic analysis of their situation that will serve as the basis for concrete proposals for achieving their full social, economic and cultural integration.

227. Women's participation in social and productive life in Peru depends on fostering conditions of co-responsibility in the various spheres of community life, starting with the basic social unit, the family. The National Wawa Wasi Project of MIMDES provides comprehensive care and stimulates early development for children between six months and three years of age. The purpose is to ensure equity in child development and to promote women's access to education and the labour market. In 2002, there were 36,381 children who received care in the rural and urban Wawa Wasi centres.

Article 14. Rural women

> "States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas."

Legislative provisions

228. A significant measure for eliminating discrimination against women is the Rural Girls' Education Act, Law 27558, promulgated on 22 November 2001. Its objective is to achieve equity in education, as measured against specific targets:

- Rural schools must practice equity and must abolish practices that discriminate against girls by reason of race, age, or inadequate command of the official language.
- Girls must be provided with timely instruction concerning the changes involved in puberty and the meaning and value of those changes in terms of female development.

- There must be a climate of equity for all students, and the personalized and respectful treatment of girls by teachers must become standard and daily practice.

229. For monitoring progress under Supreme Decree 01-2003-ED a Multisectoral Committee for Rural Girls' Education was established. It represents a network on behalf of rural girls, consisting of representatives of the various sectors that are coordinating efforts to improve living conditions and access to education for these people.

Participation in public life

230. From January 1998 to April 2000, the PROMUDEH, through the Technical Secretariat for Indigenous Affairs, conducted the "Kusisqa Wawa" ("Happy Children") Project to fortify Andean people's ability to cope with social problems, specifically in the rural villages of Ayacucho and in 13 communities of the districts of Socos and Vinchos in the province of Huamanga. "Kusisqa Wawa" stressed the sharing of responsibility between the mother and father in the raising of their children. Beginning in March 2000, the MIMDES, with support from the Van Leer Foundation, and in direct coordination with the Ministry of Education and the INABIF, carried out the "Allyn Tayta" ("Happy Dads") Project to involve fathers in the raising of their children and to reinforce the sense of paternity in rural areas of Ayacucho, Apurimac and Huancavelica. In 2002 there were 3,616 participants in the Allyn Tayta information and training workshops.

231. In 2002, the Ministry of Agriculture, through the National Programme for Watershed and Soil Management (PRONAMACHCS), sponsored the creation and functioning of Micro-basin and Watershed Management Committees, with active and coordinated participation by grassroots organizations, local authorities, and public and private institutions, designed to improve management of natural and productive resources. Women from rural areas account for 30% of the membership of these committees.

232. Rural women participated actively in the operation and management of the Wawa Wasi daycare and in comprehensive care services under the National Wawa Wasi Programme of the MIMDES. Forty-six management committees, most of them in the hands of women (approximately 130 women), are running the service in their communities (Andahuaylas, Arequipa, Cajamarca, Cañete, Chiclayo, Chimbote, Pasco, Piura, Puno, Tacna, and Trujillo). 545 women with aptitudes for the care of children between six months and three years of age, known as Madres Cuidadoras (mother care-givers), looked after 4,364 children in rural areas in 2002.

233. The MIMDES Programme to Support the Resettlement and Development of Emergency Zones (PAR) is pursuing projects for "Repairing the Consequences of Political Violence for Women" and "Rebuilding Local Democratic Institutions", in order to restore the rights of women and to encourage socialization and participation at the personal, family and community level. 25,563 women have participated in these activities (to September 2003).

Access to Social Security

234. As part of the commitments announced on International Women's Day 2003, the Ministry of Agriculture undertook to issue regulations for Agrarian Health Insurance for the benefit of rural men and women and their families.

Access to farm credit and loans

235. Through its Special Land-Titling Project (PETT), the Ministry of Agriculture is promoting land titling as a means of increasing private investment in farming and improving access to formal credit.

236. The Ministry of Agriculture is supporting the coordinated efforts of the Ministry of Women and Social Development (MIMDES), the National Identity and Civil Status Registry (RENIEC) and NGOs to help women meet the requirements for establishing individual title to rural property.

237. The Programme of Support for Resettlement and Development of Emergency Zones (PAR) is working on the problem of microenterprise in the Department of Puno, and in particular in the provinces of Azángaro and Melgar. The PAR has signed a contract with ECLOF Peru (Ecumenical Church Loan Fund, a nonprofit organization for providing microcredit to underfunded microenterprises that are excluded from the system). The PAR identifies beneficiary enterprises (in priority zones in the Plan for Repairing the Consequences of Political Violence), while ECLOF Peru undertakes to provide them with microcredits for productive activities in rural and marginal urban zones, as well as to strengthen existing projects involving production, primary processing or marketing activities that need supplementary funding. This support may be channelled as well into training and technical assistance. The PAR is also promoting business contacts for its target population, and encouraging them to participate in local and regional affairs in coordination with other interested institutions.

Dissemination and transfer of technology

238. To encourage sound natural resource management, the Natural Resource Management Project in the Southern Sierra (MARENASS) of the Ministry of Agriculture (launched in 1987 and about to be wound up) has been working with small farmers in the high Andean region of Apurímac, Cusco and Ayacucho, providing them with funds for self-management of their natural resources, and encouraging the development of output for market. It seeks to give women equal status in project activities and to involve them directly in community decision-making. As well, it is strengthening the organizational structures of the Peasant Communities by helping to consolidate their social, productive and cultural ways and training them to administer the financial resources transferred by the Project. As part of its work, it tries to minimize dependency through coordination and transferring execution responsibilities to the peasant communities. During 2002 there were 262 workshops held in 86 communities to build community capacities for managing economic resources. Of these workshops, around 80 were targeted at organized women's groups (GOMs). Some 2,600 women participated and received training in proper management of their economic resources. In this way they acquired the tools for organizing their productive and business activities and for ensuring proper management of the funds invested in those activities. During 2000 some 300 GOMs (15 women per group) received funding, totalling S/.107,490,

which they applied to rural businesses such as raising guinea pigs, selling seeds and food, buying and fattening livestock with improved feed and pasture rotation, making cheese, yogurt, and selling milk. They have also been selling handicrafts woven from alpaca wool. Beneficiaries in the community of Cotaruse-Abancay displayed and sold their textile wares at the "First Latin American Exhibition of Rural Microenterprise Products", in Santiago, Chile.

239. FONCODES, which falls under the Ministry of Women and Social Development, held training workshops for 28,222 people from rural communities, 30.2% of whom were women, as part of its programme for "improving life through water and sanitation projects" in 2002.

240. The National Office for Grassroots Cooperation (COOPOP) of the Ministry of Women and Social Development provided training for 58,732 people in participatory planning and social development during 2002. The courses included business management, human development, and community development facilitation, among other topics. 80% of participants were women, primarily rural.

241. COOPOP provided training in 2002 for 29,975 textile weavers, 90% of whom were women, through its programmes of technical assistance and training. Of the 25,490 beneficiaries registered for 2002, 80% were women.

242. Working through PRONAMACHCS, the Ministry of Agriculture has installed infrastructure in support of production and technology transfer for crop improvement in the Departments of Ancash, Amazonas, Apurimac, Ayacucho, Huancavelica, Huánuco, Junin, Cuzco, Cajamarca, La Libertad, Piura, Arequipa, Moquegua, Puno, Lambayeque, Lima, Pasco and Tacna. In 2002 a total of 172 women and 403 men benefited from this activity.

243. The Agricultural Research and Extension Project (PIEA) of the Ministry of Agriculture seeks to bring about a steady improvement in the yields from farming activity and to make farmers more competitive through innovations in technology and management. The government is promoting the market for farming inputs and technological services, establishing conditions whereby private agents and associations can thrive. In this context, it has established indicators for measuring women's participation in extension and research projects, as well as their participation in projects of this kind in indigenous communities.

244. The Family Productive Unit Rehabilitation Project under the Programme of Support for Resettlement and Development of Emergency Zones (PAR) is considering support for livestock production, handicrafts and primary processing in conjunction with its projects. Technical assistance, provided by technical staff of the PAR, is the responsibility of local specialists of the "Production Rehabilitation Goal" and of extension technicians who are working in priority zones identified by the PAR's decentralized offices. Technical assistance is provided through field visits to family farms, and offers coaching for the entire production and marketing process, using agricultural extension methods (field demonstrations of methods and results, attended by nearby farmers, authorities and local leaders). Training is done through workshops with preselected community leaders, and covers technical topics of general interest for crop and livestock management. The idea is to establish a link between the PAR and the beneficiaries to make the project self-sustaining, so that government institutions can eventually withdraw.

Living conditions

245. The Family Welfare Institute (INABIF) has Rural Family Promotion Centres in the Departments of Ayacucho, Huancavelica and Apurimac. In 2002 they served 800 children, women and seniors who participated in training workshops, social and cultural events and parents' classes and received day care and preparatory services as needed.

246. During the year 2002 the National Wawa Wasi Programme provided 4,364 rural children with comprehensive services consisting of day care while their parents worked, health surveillance (growth and development monitoring), and free comprehensive health insurance (SIS), nutritional and balanced food (three servings: morning snack, lunch, afternoon snack), and early childhood learning experiences. The women who serve as "care-giving mothers", members of the Management Committee and Supervisory Councils, are offered Comprehensive Health Insurance.

247. The project known as "Punkunkunata Kichaspa: Opening the Doors to Education for Rural Girls", which ran from October 1999 to September 2003, was a response to the situation of educational exclusion that afflicts thousands of girls in Peru. It was conducted in the Southern Andean Region of Peru, and involved coordinated activities of various government programmes with broad community participation.

248. The A Producir ("To Produce!") Programme of training projects to develop productive capacities for income generation in poor rural areas seeks to improve output and productivity by transferring technologies for rural business and food production projects, in order to insert farmers into the production chain. It develops business management and marketing coordination capacities so that farmers can produce what the market demands. In the second half of 2002 a competition was held in which there were 13 winning institutions, including a consortium formed by the NGOs Manuela Ramos and ACONSUR that submitted a project for "promoting equity by building productive capacities in the rural areas of Lima", designed to improve income for 490 artisans, women workers in the tourism sector, and other female producers, and to sponsor a positive male attitude towards incorporating women into productive work.

249. The PAME (Small and Micro-Enterprise Support) Programme of FONCODES, aimed at people in rural areas, includes among its contractual conditions that the credit institution must give preference in its lending to microenterprises run by women. In 2002 it provided credit to 30,550 small-scale entrepreneurs, of whom 14,416 (47.19%) were women and 16,134 (52.81%) were men.

250. Women's participation in the executing units of the REDs ("Strategic Clusters for Rural Development") sponsored by FONCODES is only 8%. The 21 rural networks have 150 representatives, of whom only 11 are women.

251. The A Trabajar ("To Work!") Programme under the PESP Rural ("Emergency Rural Social Production Project") takes special account of female heads of households who, even if they cannot go to work, have a desire to join in activities under the programme. Female participation throughout the country during the first stage of the project was 12.7% (43,442). This figure rose in the first portion of the second stage, to 27% of total participants.

252. Rural women were encouraged to participate in the Micro-basin and Watershed Management Committees of the National Programme for Watershed and Soil Management (PRONAMACHCS) of the Ministry of Agriculture. This programme seeks to combat poverty in rural zones of the high Andes through the development of watersheds and the rational, productive and sustainable exploitation of their natural resources. It has sponsored the creation and operation of the Micro-basin and Watershed Management Committees with the active and concerted participation of grassroots organizations, local authorities, and public and private institutions. It includes activities such as:

- Participatory planning with beneficiary organizations for preparing analyses and community plans for natural resource management.
- Financing of rural investments.
- Institutional strengthening for peasant organizations.

253. In all these lines of action the gender focus is applied, as of the initial contact with the communities, and efforts are made to involve women throughout the productive process and in decision-making. The programme covered 853 micro-basins, with 5,569 peasant organizations and 207,152 families in 2001, and 815 micro-basins with 5,025 peasant organizations and 174,580 families in 2002. It sparked the development of 26 and 14 business initiatives, respectively, in those two years. As well, the programme promotes business initiatives for equitable participation in the installation and running of productive modules, primarily for the processing of local produce with a view to creating microenterprises. It has involved 665 women and 887 men in rural areas of the departments of Apurimac, Arequipa, Ayacucho, Cajamarca, Cusco, Huancavelica, La Libertad, Moquegua and Pasco.

254. Women have been guaranteed access to property, housing and economic resources. In September 2002 the Ministry of Housing, Construction and Sanitation created the Techo Proprio ("Your Own Roof") Programme to provide decent housing for lower-income people, providing a one-time, non-repayable Family Housing Bonus (BFH) as a supplement to family savings. Preliminary results from the second round of grants indicate that 31.6% of the beneficiaries are single mothers, and 2.8% are domestic employees.

255. The Ministry of Agriculture through its Special Land Titling Project (PETT) is also promoting the titling of rural lands for women who meet the requirements. In coordination with the Office of Voter Registries and Grassroots Cooperation, the MIMDES is sponsoring a campaign for documenting rural women, and this will help improve their chances of securing land title.

256. As a complement to the documentation drive for rural women, the Programme of Support for Resettlement and Development of Emergency Zones (PAR), as part of the Human Rights Project, is conducting documentation campaigns aimed at illiterate women. It has also signed a contract with the Ecumenical Foundation for Development and Peace to enlist its support on behalf of people without documentation.

257. Through the "Million Peasants" Programme of the PAR, three micro-credit projects for women have been undertaken in the departments of Ayacucho, Juni and Puno, granting a total of 76 microcredits for the benefit of 1,291 rural women.

Article 15. Equality before the Law

"States Parties shall accord to women equality with men before the law

a) Elimination of instruments that restrict legal capacity."

258. The Political Constitution of Peru has recognized equality of rights between men and women since 1979. The rule of equality before the law remains in effect.

259. The Peruvian Civil Code makes no distinction in contracting status: women and men are equal in civil law.

260. With respect to the courts of justice, the Research Institute of the Attorney General's Office and the Prosecutor General's Office has provided training for prosecutors, forensic physicians, psychologists, psychiatrists of the Institute of Legal Medicine and prosecution assistants by means of periodic courses, with support from international agencies and nongovernmental institutions. Free forensic medical services have been provided in various offices, in the Women's Emergency Centres, and in the Basic Justice Modules throughout the country.

261. Since 1996, specific mechanisms have been created to protect women, such as the Deputy Defender for Women's Rights within the Office of the Public Defender.

262. In 1997 the National Congress created the Committee on Women and Human Development, today the Committee on Women and Social Development, to examine and report on legislation relating to women's rights. It has the power to recommend the repeal of rules that prejudice women.

Free choice of spouse

263. Within the Armed Forces, the rule is that persons of the same rank and grade within the military career may marry. Affective relations between military personnel are limited to the bonds of comradeship, and an affective or marital relationship may be established only between personnel at the same level. At the present time, marital relations must still be avoided between persons of different rank. In the case of marriage or de facto union, one of the two partners must apply for retirement. Military personnel seeking to marry must apply for permission from their commander. Upon graduating with the rank of Officer or Junior Officer, they must sign a document entitled "Commitment of Honour", in which they promise not to marry or to become pregnant during the first two years in their functions as Officer or Junior Officer.

Similar family responsibilities

264. Law 27495 of 6 July 2002 creates two new grounds for divorce, applicable in the same manner for women and men. These are:

- Separation for four years, if there are children, and for two years if there are none.
- Impossibility of the spouses to live together, as proven in judicial proceedings.

Article 16. Marriage and family relations

"States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations."

Guardianship, wardship, trusteeship and adoption of children

269. It is the recognized right of women to decide freely and responsibly the number and spacing of their children, and to have access to the information, education and means to enable them to exercise these rights. These rights are covered in the general rules of the Health Sector and in the ICPD (International Conference on Population and Development), Cairo 1994, which Peru attended without entering any reservation on this point.

270. The Code of Children and Adolescents establishes the principle of "the higher interest of the child", which must guide the decision of the court when children are involved in a dispute over guardianship, wardship or trusteeship.

271. The Civil Code establishes that in the case of divorce through the fault of both partners, children under the age of seven must remain in the care of the mother, while for older children custody will depend on their sex: thus, girls will remain with the mother, and boys with the father. This sexist rule must be amended, not only because the assumption that the mother takes custody discriminates unconstitutionally against men, but also because that discrimination extends to the woman herself, who remains in practice the person who is left with the majority of reproductive responsibilities, understood in the broad sense.

272. Law 27409 recognizes the right to take leave upon adoption of a child, in order to establish and strengthen the bonds between the members of the family group.

273. Law 27617 stipulates equality of requirements for men and women applying for the widow's pension pursuant to Decree Law 20,530.

Ownership and Disposal of Property

274. The Political Constitution of Peru and the Civil Code establish equal rights for men and women with respect to the ownership and enjoyment of property.

Marriage of adolescents

275. On 14 November 1999, Law 27201 was issued, correcting the discriminatory legal provision that considers adolescent girls ready to contract marriage as a function of their reproductive capacity, and boys as a function of their capacity as providers. This law sets the minimum age for contracting matrimony at 16 years for both sexes, with prior judicial authorization. It gives male and female adolescents over the age of 14 years the capacity to recognize their offspring, to claim pregnancy and childbirth expenses, and to request maintenance and food support for their children.